

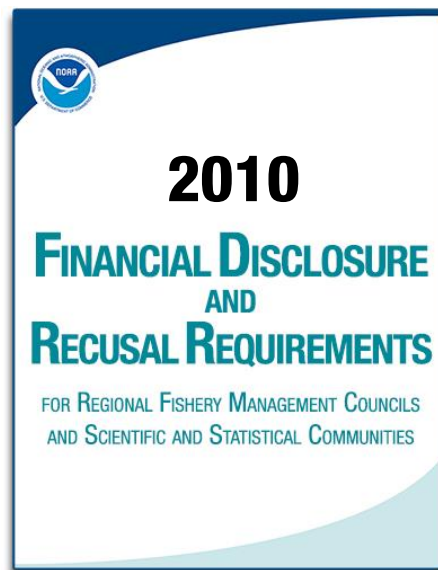


# 2010

## REPORTS TO CONGRESS



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2010 REPORT TO CONGRESS

ON APPORTIONMENT OF MEMBERSHIP

ON THE

REGIONAL FISHERY MANAGEMENT COUNCILS

PURSUANT TO SECTION 302(b)(2)(B) OF THE  
MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY  
U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE

2011





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## **A. BACKGROUND**

Section 302(b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce (Secretary) to report annually to Congress on the achievement, to the extent practicable, of a “fair and balanced apportionment,” on a rotating or other basis, of the active participants (or their representatives) in the commercial and recreational fisheries under the jurisdiction of each Regional Fishery Management Council (RFMC).

There are 114 voting members on the eight Councils. The voting members of each Council include the principal State official (or the official’s designee) with marine fishery management responsibility and expertise in each constituent State, who is appointed by the Governor; the regional administrator of the National Marine Fisheries Service (NMFS) for the geographic area concerned (or the regional administrator’s designee); and members required to be appointed by the Secretary in accordance with Sections 302(b)(2) and (5) of the Magnuson-Stevens Act. In addition, non-voting members represent the United States Coast Guard, U.S. Fish and Wildlife Service, U.S. Department of State, and the Marine Fisheries Commissions.

This report is the 19th in a series related to the status of voting members appointed to the RFMCs by the Secretary.<sup>1/</sup> In addition to assessing the annual apportionment of RFMC membership, this report discusses significant fishery management issues and related actions for 2011.

## **B. FAIR AND BALANCED RFMC MEMBERSHIP**

The consideration of balance and fairness between commercial and recreational fishing sectors is an important element in the Secretary’s appointments. Equally important is the stewardship responsibilities of RFMCs and the appointment of individuals who can work collectively with other members to achieve the conservation standards under the Magnuson-Stevens Act. Successful nominees, therefore, are those who are qualified in accordance with the provisions at 50 CFR 600.215 and who will best contribute to the stewardship of marine fishery resources.<sup>2/</sup>

Generally, the most qualified nominees are those whose records indicate they:

1. Have achieved a level of leadership in promoting stewardship of the marine fishery resources under the jurisdiction of the RFMCs to which they would be appointed; and
2. Participate in, or represent commercial fishermen participating in, one or more commercial fisheries under the RFMCs’ jurisdictions; or

<sup>1/</sup>The initial report assessed the RFMC membership in 1991 and 1992, and was submitted to Congress on September 1, 1992.

<sup>2/</sup>The qualifications for appointment are derived from Section 302(b)(2)(A) of the Magnuson-Stevens Act and are also included in regulations contained at 50 CFR 600.215.

3. Participate in, or represent recreational fishermen participating in, one or more recreational fisheries under the RFMCs' jurisdictions; or
4. Are otherwise experienced and/or knowledgeable in leadership of organizations whose members participate in a fishery or in management and conservation of natural resources, or are representatives of consumers, teachers, journalists, writers, consultants, lawyers, or marine fishery researchers.

### Standard for Apportionment

Before evaluating each RFMC with respect to fairness and balance, the Secretary must first have a standard for such judgments. Unfortunately, the amendments to the Magnuson-Stevens Act and legislative history do not provide specific guidance for judging whether the Secretary's appointments meet the statutory standard. The National Oceanic and Atmospheric Administration's (NOAA) NMFS, however, has addressed the requirement by reasoning that, in the ideal case, voting members should be individuals with prescribed qualifications related to commercial or to recreational fishing within the RFMC's area of jurisdiction, or individuals with qualifications in one of the "other" related fishing interest categories, who are personally committed to meeting the RFMC's trusteeship responsibilities for living marine resources. This continues to be the yardstick for judging whether an individual member of a RFMC will strive towards the conservation and management of fisheries resources.

Over the past decade, fishery management issues have become increasingly complex. Therefore, RFMC members who possess the necessary background and abilities to address complex issues are critical to the ultimate success of the RFMCs. A significant consideration in appointing members is their specific knowledge of the conservation and management issues and fisheries in which each RFMC is expected to be involved. Also important is the level of nominees' participation in the fishery management process, and the support for the nominees from the fishing sector communities and other individuals, largely through endorsement letters to the Secretary.

For the purposes of this Report, three general fishing interest sectors are discussed: the commercial fishing sector, the recreational fishing sector, and an "other" sector. The "other" sector is made up of appointed members with knowledge of and experience in biological, economic, or social sciences; environmental or ecological matters; consumer affairs; and associated fields.

Nominees may be categorized as participating in more than one of the three general fishing interest sectors. In these cases, NMFS' determination about a nominee's primary interest sector is the result of NMFS' interpretation of: (1) supporting background information provided by the nominating governor; (2) background information provided by the nominee, reflecting the nominee's demonstrated principal participation; and (3) other supplemental information provided.

### **C. APPORTIONMENT OF RFMC MEMBERSHIP**

RFMC members are appointed from among qualified individuals nominated by the governors of the RFMCs' constituent states and, in the case of tribal representation on the Pacific Fishery Management Council (PFMC), from among Indian representatives nominated by the appropriate Tribal Governments. Appointed members serve 3-year terms and can be reappointed to serve three consecutive terms. A major factor in meeting the requirement to balance membership is the cooperation of the governors of the constituent states in nominating qualified individuals who are knowledgeable regarding conservation and management or the commercial or recreational harvest of fishery resources. The process works best when governors provide the Secretary with a variety of highly qualified nominees who meet the requirements of the Magnuson-Stevens Act.

For governor-nominated seats, the Secretary will select an appointee for an obligatory seat (state-specific) from the list of qualified nominees submitted by the governor of that state. In filling expiring at-large seats (regional), the Secretary will select an appointee from the list of all qualified candidates submitted by constituent state governors.

In 2010, the Secretary announced the appointment or reappointment of 19 voting obligatory and at-large RFMC members whose 3-year terms, having commenced on August 11, 2010, will expire on August 10, 2013.

Table 1 shows the current totals in the distribution of Secretary-appointed RFMC voting members by interest sector for 2008, 2009, and 2010 (page 6). In 2010, 8 members were appointed from the commercial fishing sector, 8 members were appointed from the recreational fishing sector, and 3 members were appointed from the "other" sector.

Because of the limited number of RFMC seats, not all sectors and localities can be represented on each RFMC. In addition, the Secretary's appointments are constrained by the nominations submitted by the governors. Within these parameters, the Secretary aims to select appointees who possess the breadth of knowledge and experience to collectively provide a balance on each RFMC, and who pursue their RFMC roles as stewards and trustees of living resources. To the extent practicable, the appointments also seek to rotate membership, thereby distributing participation among all sectors of the fisheries-specific actions. Adjustments to the distribution of representation on each RFMC are also made, where possible, to achieve a balance of interest sectors or to provide needed experience to address changing priorities.

Where sector or gear components are not represented on a RFMC, membership on the various RFMC advisory panels and committees is also crucial to providing those sectors with representation during RFMC deliberations, as well as with a voice on specific issues of interest.

#### **Women and Minority Representation**

Five women currently serve on the RFMCs. Governors are encouraged to nominate qualified female and minority candidates.

#### D. RFMC MEMBERSHIP VACANCIES DURING 2010

Table 2, page 7, lists the 22 RFMC members whose terms will expire on August 10, 2011. Table 3, page 8, sorts the 22 RFMC members into the three general fishing sector categories.

The Magnuson-Stevens Act prohibits the reappointment of RFMC members to a fourth consecutive term. As a result, 7 of the 22 members whose terms expire in 2011 will be ineligible to be renominated at this time.

**TABLE 1: APPOINTED RFMC MEMBERS SORTED NUMERICALLY BY FISHING SECTOR INTERESTS (2008-2010)**

	Year	Commercial	Recreational	"Other"	Total
NEFMC	2008	7	3	2	12
	2009	7	3	2	12
	2010	7	3	2	12
MAFMC	2008	5	5	3	13
	2009	5	3	5	13
	2010	4	4	5	13
SAFMC	2008	3	4	1	8
	2009	3	4	1	8
	2010	3	4	1	8
GMFMC	2008	4	4	3	11
	2009	4	4	3	11
	2010	4	5	2	11
CFMC	2008	2	1	1	4
	2009	2	1	1	4
	2010	2	1	1	4
PFMC	2008	3	5	1	9
	2009	3	4	2	9
	2010	3	4	2 <sup>3/</sup>	9
NPFMC	2008	6	1	0	7
	2009	6	1	0	7
	2010	6	1	0	7
WPFMC	2008	2	3	3	8
	2009	2	3	3	8
	2010	2	3	3	8
ALL RFMCs	2008	32	26	14	72
	2009	32	23	17	72
	2010	31	25	16	72

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<sup>3/</sup>This total includes the Tribal representative, who, for the purposes of this table, is counted as a representative of the "other" sector.

TABLE 2: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2011  
GROUPED BY OBLIGATORY OR AT-LARGE APPOINTMENT

OBLIGATORY MEMBERS	APPT. DATE	CONSEC. TERMS SERVED		AT-LARGE MEMBERS	APPT. DATE	CONSEC. TERMS SERVED
<u>New England</u> There are no obligatory vacancies on the New England Council in 2011.				M. Leary/NH (C) J. Fair Jr./MA (O) J. Pappalardo/MA (C) M. Nickell-Tooley/ME (C)	2005 2008 2002 2008	2 1 **3 1
<u>Mid-Atlantic</u> NY: J. McMurray/R PA: E. Kray/R NC: J. Wheatly/C MD: H. King III/O	2008 2003 2008 2008	1 *2 1 1		P. Augustine/NY (R)	2002	**3
<u>South Atlantic</u> There are no obligatory vacancies on the South Atlantic Council in 2011.				G. Geiger/FL (R) D. Cupka/SC (O)	2002 2005	**3 2
<u>Gulf of Mexico</u> There are no obligatory vacancies on the Gulf Council in 2011.				R. Shipp/AL (R) E. Sapp/FL (R) J. Hendrix Jr./TX (C)	2005 2008 2002	2 1 **3
<u>Caribbean</u> PR: E. Piñeiro-Soler/C	2002	**3		There are no at-large vacancies on the Caribbean Council in 2011.		
<u>Pacific</u> WA: M. Cedergreen/R	2002	**3		R. Moore/OR (C)	2005	2
<u>North Pacific</u> WA: J. Henderschedt/C AK: E. Olson/C	2008 2005	1 2		There are no at-large seats on the North Pacific Council.		
<u>Western Pacific</u> CNMI: B. Sablan/O	2002	**3		F. Duerr/HI (R) D. Itano/HI (O)	2005 2008`	2 1
9 Obligatory Members			13 At-Large Members			

C = Commercial Sector

R = Recreational Sector

O = Other Sector

\*This member replaced another member who left office during a term. In accordance with the Magnuson-Stevens Act, any term in which an individual is appointed to replace a member who left office during a term shall not be counted in determining the number of consecutive terms served by that Council member.

\*\*These members have served three consecutive terms; therefore, they are ineligible by law for reappointment to a fourth consecutive term.

TABLE 3: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2011  
GROUPED BY GENERAL FISHING SECTOR CATEGORIES

COMMERCIAL	RECREATIONAL	OTHER	TOTAL
<u>New England</u> Michael P. Leary Mary Beth Nickell-Tooley John W. Pappalardo		James J. Fair Jr.	4
<u>Mid-Atlantic</u> Jule D. Wheatly	Patrick H. Augustine Eugene J. Kray John G. McMurray	Howard J. King III	5
<u>South Atlantic</u>	George J. Geiger	David M. Cupka	2
<u>Gulf Council</u> Joseph P. Hendrix Jr.	Edward W. Sapp Robert L. Shipp		3
<u>Caribbean</u> Eugenio Pineiro-Soler			1
<u>Pacific</u> Rodney H. Moore	Mark V. Cedergreen		2
<u>North Pacific</u> John J. Henderschedt Eric A. Olson			2
<u>Western Pacific</u>	Frederick E. Duerr	David G. Itano Benigno M. Sablan	3
TOTAL 9	TOTAL 8	TOTAL 5	TOTAL 22

## Removal of Members

On occasion, after appointments have been made, RFMC constituents have advised the Secretary of concerns about (or indicated disagreement with) some of the Secretarial appointment decisions. In some cases, constituents have called for the revocation of particular appointments. All such concerns are noted. However, in accordance with Section 302(b)(6) of the Magnuson-Stevens Act, the removal of a Council member is limited to the following circumstances:

- a) The Secretary may remove for cause any Secretarially appointed RFMC member only when the RFMC concerned first recommends removal of the member by not less than two-thirds of the RFMC voting members, and the RFMC submits such removal recommendation to the Secretary in writing, together with a statement of the basis for the recommendation; or
- b) After notice and an opportunity for a hearing in accordance with Section 554 of Title 5, United States Code, the member is found by the Secretary to have committed an act prohibited by Section 307(1)(O) of the Magnuson-Stevens Act, which pertains to compliance with financial disclosure requirements.

## The Reauthorized Magnuson-Stevens Act

In 2010, NMFS published a final rule in the Federal Register implementing changes to the regulations that address the operations and administration of the RFMCs. The final rule clarifies the procedures for nominating Council members, including timing for submission of nominations, and revises the clearance procedures for nominees selected to serve on a Council. Background investigations will now be required only for appointed Council members, not all nominees. A Council member's appointment is conditional until such time as the background investigation has been favorably adjudicated.

## **E. THE SECRETARY'S 2010 APPOINTMENTS/2011 REPORT RECOMMENDATIONS**

As a result of the annual appointments announced on June 23, 2010, 19 members were seated on August 11, 2010.

The following sections update RFMC appointment rosters, specify apportionment totals for RFMC members, discuss fishery management issues and challenges being addressed by each RFMC, and make Secretarial recommendations for future nomination and appointment considerations. The latter reflects information included in letters sent to the constituent State governors requesting nominees, consistent with regulations at 50 CFR 600.215. The governors are required to submit their nominees by March 15 of each year.

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## 1. New England Fishery Management Council (NEFMC)

### BACKGROUND SUMMARY:

Terms expired in 2010 for three NEFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives remains unchanged at seven commercial, three recreational, and two “other.” The current geographical balance regarding the distribution of at-large seats on the NEFMC remains unchanged. The reappointees are as follows:

#### New Member/Fishing Sector

David T. Goethel/commercial  
Colin M. “Rip” Cunningham, Jr./recreational  
Francis W. Blount Jr./recreational

#### Outgoing Member/Fishing Sector

Reappointment  
Reappointment  
Reappointment

The following table lists the Secretarial appointees currently on the NEFMC:

2010 NEW ENGLAND FISHERY MANAGEMENT COUNCIL (12 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	AVILA, RODNEY M.	MA	2012	C
O	PREBLE, DAVID E.	RI	2012	R
O	GOETHEL, DAVID T.	NH	2013	C
O	MC GEE, SALLY E.	CT	2012	O
O	ODLIN, JAMES A.	ME	2012	C
A	CUNNINGHAM, COLIN M. JR.	MA	2013	R
A	LEARY, MICHAEL P.	NH	2011	C
A	FAIR, JAMES J. JR.	MA	2011	O
A	PAPPALARDO, JOHN W.	MA	2011	C
A	LIBBY, GLEN A.	ME	2012	C
A	BLOUNT, FRANCIS W. JR.	RI	2013	R
A	NICKELL-TOOLEY, MARY BETH	ME	2011	C

### EXPIRING TERMS:

The following members’ terms will expire on August 10, 2011:

1. Michael P. Leary – commercial fishing sector – at-large seat (New Hampshire)
2. James J. Fair Jr. – “other” sector – at-large seat (Massachusetts)

3. John W. Pappalardo – commercial fishing sector – at-large seat (Massachusetts); by law, Mr. Pappalardo, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.
4. Mary Beth Nickell-Tooley – commercial fishing sector – at-large seat (Maine)

## **2011 REPORT RECOMMENDATIONS:**

The stocks within the NEFMC's geographical area that are managed by the Council are primarily associated with commercial fisheries. Of the eight members whose terms do not expire in 2011, four are from the commercial harvesting sector, three are from the recreational fishing sector, and one is from the "other" sector. Members from the commercial harvesting sector have experience in the groundfish, scallop, herring, and monkfish fisheries, utilizing trawl, dredge, purse seine, and longline gear. The recreational fishing sector members are rod-and-reel fishermen and/or involved in charter/party fishing.

The four upcoming vacancies include three outgoing members from the commercial sector, and one from the "other" sector. Governors are encouraged to nominate qualified nominees from the commercial and recreational fishing sectors. Also, governors are encouraged to nominate nominees from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## **DISCUSSION:**

The NEFMC is responsible for six Fishery Management Plans (FMPs): Northeast (NE) Multispecies, Atlantic Sea Scallop, Atlantic Herring, Deep-sea Red Crab, Northeast Skates, and Atlantic Salmon. In addition, the NEFMC and Mid-Atlantic Fishery Management Council (MAFMC) are jointly responsible for two FMPs (Spiny Dogfish and Monkfish). The NEFMC has the lead responsibility for the Monkfish FMP, while the MAFMC has the lead responsibility for the Spiny Dogfish FMP.

The species managed by the NEFMC are primarily commercial; however, the multispecies fishery has an important recreational component (party/charter and private vessels). The Atlantic salmon fishery is considered recreational, although possession of Atlantic salmon is prohibited in the Exclusive Economic Zone (EEZ) under the Atlantic Salmon FMP, and there is no commercial or recreational fishery for Atlantic salmon in the EEZ. Management of all of the fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch. Fishing gear technology and selectivity are areas of great interest—to allow healthy stocks to be harvested at or near their optimum yields while protecting overfished and rebuilding stocks, particularly in the multispecies fishery. Also of concern are measures protecting marine mammals, threatened and endangered species.

In 2010, the Council's management actions included:

- **Northeast (NE) Multispecies**

The Council completed Amendment 16 to make mid-course adjustments to the rebuilding plans for overfished groundfish stocks, authorize 17 new sectors, establish an ACL (annual catch limit)/AM (accountability measures) process, and address other management needs in the fishery. The Council also completed Framework 44 and specifications to set ACLs for the 2010-2012 fishery and additional measures to control common pool effort. The Council also began development of Framework 45, which would adjust the Georges Bank yellowtail flounder rebuilding schedule.

- **Atlantic Sea Scallops**

The Council continued development of Amendment 15, which may include ACLs/AMs, capacity reduction measures, days-at-sea leasing, permit transfers, and revisions to the overfishing definition. The Council also completed Framework 21, which set fishery specifications for the 2010 fishing year, and began development of Framework 22, which will set specifications for the 2011-2012 fishery and consider measures to protect sea turtles.

- **Atlantic Herring**

The Council developed specifications for the 2010-2012 fishing years; completed development of Amendment 4, which will add ACLs/AMs to the FMP; and continued development of Amendment 5, which will address monitoring and bycatch issues in the fishery, including catch of river herring.

- **Monkfish**

The Council completed development of Amendment 5, which will add ACLs/AMs to the FMP and set specifications for the 2010-2013 fishing years, and began development of Amendment 6, which will consider new catch share programs for this fishery.

- **Skates**

The Council completed Amendment 3 to rebuild overfished skate stocks and to add ACLs/AMs to the FMP.

- **Deepsea Red Crab**

The Council completed specifications for the 2010 fishery and began development of Amendment 3, which would add ACLs/AMs to the FMP and set specifications for the 2011-2013 fisheries.

- **Habitat**

The Council continued development of an omnibus habitat amendment, which will amend the essential fish habitat (EFH) designations in the Council's FMPs and provide additional measures to protect habitat. Phase I, to better define EFH, has been completed, and work on Phase II, to develop management measures to protect EFH, is continuing.

Council priorities for 2011 include:

- Complete Phase II of a two-part omnibus amendment to address issues regarding EFH across all of the Council's FMPs;

- Complete Scallop Amendment 15 to add ACLs/AMs to the FMP, address capacity in the fishery, revise overfishing definitions, and make other changes to the scallop management program;
- Complete Scallop Framework 22 to set specifications for fishing years 2011-2012;
- Initiate an action to address transfer of ACL of yellowtail flounder between the multispecies and scallop fisheries;
- Complete Amendment 5 to the Monkfish FMP to add ACLs/AMs to the FMP and to set specifications for fishing years 2011-2013;
- Continue development of Amendment 6 to the Monkfish FMP to consider sectors and/or Individual Transferable Quotas (ITQs) for the monkfish fishery;
- Complete Monkfish Framework 7 to make adjustments to the Northern Management Area measures;
- Continue development of Amendment 19 to the NE Multispecies FMP, to add ACLs/AMs for the small-mesh groundfish stocks and to set specifications for fishing years 2011-2013;
- Continue development of NE Multispecies Amendment 17 to consider catch shares, area management, and other issues in the fishery;
- Complete Framework 45 to the NE Multispecies FMP, to modify the Georges Bank yellowtail flounder rebuilding schedule and issues regarding Transboundary Resource Assessment Committee quota-setting;
- Complete Deepsea Red Crab Amendment 3 to add ACLs/AMs to the FMP and to set specifications for fishing years 2011-2013.

## 2. Mid-Atlantic Fishery Management Council (MAFMC)

### BACKGROUND SUMMARY:

Terms expired in 2010 for four MAFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives is four commercial, four recreational, and five “other,” which represents a change from five commercial, three recreational, and five “other.” The current geographical balance regarding the distribution of at-large seats on the MAFMC remains unchanged. The appointee and reappointees are as follows:

#### New Member/Fishing Sector

Lee G. Anderson/ “other”  
Richard B. Robins Jr./commercial  
Erling A. Berg/commercial  
Stephen E. Linhard/recreational

#### Outgoing Member/Fishing Sector

Reappointment  
Reappointment  
Reappointment  
Lawrence W. Simms/commercial (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the MAFMC:

2010 MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (13 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	MCMURRAY, JOHN G.	NY	2011	R
O	ZEMAN, CHRISTOPHER J.	NJ	2012	O
O	KRAY, EUGENE J.	PA	2011	R
O	DEFUR, PETER L.	VA	2012	O
O	WHEATLY, JULE D.	NC	2011	C
O	KING, HOWARD J. III	MD	2011	O
O	ANDERSON, LEE G.	DE	2013	O
A	SCHAFER, STEVEN F.	NY	2012	C
A	ROBINS, RICHARD B. JR.	VA	2013	C
A	BERG, ERLING A.	NJ	2013	C
A	LINHARD, STEPHEN E.	MD	2013	R
A	PATE, PRESTON P. JR.	NC	2012	O
A	AUGUSTINE, PATRICK H.	NY	2011	R

### EXPIRING TERMS:

The following members’ terms will expire on August 10, 2011:

1. John G. McMurray – recreational fishing sector – New York’s obligatory seat
2. Eugene J. Kray – recreational fishing sector – Pennsylvania’s obligatory seat
3. Jule D. Wheatly – commercial fishing sector – North Carolina’s obligatory seat
4. Howard J. King III – “other” sector – Maryland’s obligatory seat
5. Patrick H. Augustine – recreational fishing sector at-large seat (New York); by law Mr. Augustine, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

## **2011 REPORT RECOMMENDATIONS:**

Of the eight members whose terms do not expire in 2011, three are from the commercial sector, one is from the recreational sector, and four are from the “other” sector. The remaining commercial sector members’ experiences include harvesting, processing, and seafood marketing, while the recreational member is a rod-and-reel fisherman.

The five upcoming vacancies include one outgoing member from the commercial sector, three from the recreational sector, and one from the “other” sector. Governors are encouraged to nominate individuals from both the commercial sector and the recreational sector. Also, governors are encouraged to nominate individuals from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## **DISCUSSION:**

The MAFMC is exclusively responsible for five existing FMPs: Summer Flounder, Scup, and Black Sea Bass; Atlantic Mackerel, Squid, and Butterfish; Surfclam and Ocean Quahog; Tilefish; and Atlantic Bluefish. In addition, the MAFMC and the NEFMC are jointly responsible for two other FMPs (Spiny Dogfish and Monkfish). The MAFMC has the lead responsibility for the Spiny Dogfish FMP, and the NEFMC has the lead responsibility for the Monkfish FMP.

Some of these fisheries are primarily commercial (e.g., surfclam, ocean quahog, tilefish, spiny dogfish, monkfish, squid, Atlantic mackerel, and butterfish); others have significant recreational components (bluefish, summer flounder, scup, and black sea bass). Management of all fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch.

In 2010, the Council's management actions included:

- **Summer Flounder/Scup/Black Sea Bass**

The Council developed annual specifications and recreational measures for these three fisheries for 2011.

- **Surfclams/Ocean Quahogs**

The Council continued development of Amendment 15 to the FMP to define excessive shares in the ITQ portion of the fishery, to develop a cost-recovery program for the ITQ fishery, and to update EFH. The Council also set specifications for the 2011-2013 fisheries.

- **Squid/Mackerel/Butterfish**

The Council developed annual specifications for these fisheries for 2011. The Council also continued development of Amendment 11, which would establish a limited access program for Atlantic mackerel, and initiated Amendment 14, which will consider catch shares for the squid fisheries and measures to reduce bycatch of river herring.

- **Spiny Dogfish**

The Council developed the 2010 specifications for this fishery, and initiated development of 2011-2015 specifications, jointly with the New England Council. The Council also initiated Amendment 3 to consider a male-only fishery, timing issues in the management of the fishery, and other issues.

- **Atlantic Bluefish**

The Council developed specifications for the 2011 recreational and commercial Atlantic bluefish fisheries.

- **Omnibus ACLs/AMs**

The Council continued development of an omnibus amendment to add ACLs/AMs to all of its FMPs in order to comply with new requirements of the Magnuson-Stevens Act.

Council priorities for 2011 include:

- Complete Amendment 11 to the Atlantic Mackerel/Squid/Butterfish FMP, which will implement a limited access program for the Atlantic mackerel fishery;
- Continue development of Amendment 14 to the Atlantic Mackerel/Squid/Butterfish FMP, which will consider catch shares for the squid fisheries and measures to reduce bycatch of river herring;
- Complete Surfclam/Ocean Quahog Amendment 15, which will define excessive shares, provide a cost recovery system for the fishery, and update EFH;
- Complete Amendment 3 to the Spiny Dogfish FMP, which may provide for a male-only fishery and address timing issues in the management of the fishery, among other issues;

- Complete specifications for the summer flounder/scup/black sea bass (commercial and recreational), mackerel/squid/butterfish, spiny dogfish, and bluefish fisheries, including research set-asides, as warranted; and
- Complete a major Omnibus Amendment to add ACLs/AMs to all MAFMC FMPs.

### 3. South Atlantic Fishery Management Council (SAFMC)

#### BACKGROUND SUMMARY:

Terms expired in 2010 for two SAFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives remains unchanged at three commercial, four recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the SAFMC remains unchanged. The appointee and reappointee are as follows:

#### **New Member/Fishing Sector**

Thomas E. Burgess/commercial  
Thomas L. Swatzel III/recreational

#### **Outgoing Member/Fishing Sector**

Rita G. Merritt/commercial  
Reappointment

The following table lists the Secretarial appointees currently on the SAFMC:

2010 SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	HARRIS, CHARLES D.	GA	2012	R
O	HARTIG, BENJAMIN C. III	FL	2012	C
O	BURGESS, THOMAS E.	NC	2013	C
O	SWATZEL, THOMAS L. III	SC	2013	R
A	CURRIN, BENJAMIN M.	NC	2012	R
A	CUPKA, DAVID M.	SC	2011	O
A	GEIGER, GEORGE J.	FL	2011	R
A	PHILLIPS, CHARLES M.	GA	2012	C

#### EXPIRING TERMS:

The following members’ terms will expire on August 10, 2011:

1. David M. Cupka – “other” sector – at-large seat (South Carolina)
2. George J. Geiger – recreational fishing sector – at-large seat (Florida); by law Mr. Geiger, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

## 2011 REPORT RECOMMENDATIONS:

Of the six members whose terms do not expire in 2011, three are from the commercial sector and three are from the recreational sector. The commercial members experience includes harvesting, while the recreational members are rod-and-reel fishermen. The governors are encouraged to nominate nominees from both the commercial and recreational sectors so that the Secretary can achieve a balance between these two interest groups. While nominees to help balance the commercial and recreational sectors are important, the governors are also encouraged to nominate nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## DISCUSSION:

The SAFMC has prepared FMPs and amendments for the following fisheries or living marine resources in the South Atlantic EEZ: shrimp (penaeid and rock); coral, coral reef, and live/hard bottom habitats; golden crab; dolphin/wahoo; *Sargassum*; and the snapper-grouper species complex. The SAFMC and the Gulf of Mexico Fishery Management Council have prepared joint FMPs for spiny lobster and coastal migratory pelagic (CMP) species in the South Atlantic and Gulf of Mexico.

In 2010, the Council’s management actions included:

- **Snapper-Grouper**  
Snapper-Grouper Amendment 17A, which would end red snapper overfishing and rebuild red snapper.

Snapper-Grouper Amendment 17B, which would reduce bycatch of deepwater species and establish ACLs and AMs for eight snapper-grouper species experiencing overfishing.

Red Snapper Interim Rule, which would temporarily reduce red snapper overfishing by prohibiting the harvest, possession and sale of red snapper for 180 days (with a 186-day extension) while the Council develops long-term measures to end overfishing and rebuild red snapper in Snapper-Grouper FMP Amendment 17A.

Snapper-Grouper Amendment 18, which would extend the management range of snapper-grouper north of the Council’s current jurisdiction; designate EFH for snapper-grouper species in the extended management range (New England and Mid-Atlantic); change the golden tilefish fishing year; limit effort in the black sea bass pot fishery; and improve data reporting.

Snapper-Grouper Amendment 20 would update the ITQ program and specify ACLs and AMs for wreckfish.

Snapper-Grouper Amendment 21, which would consider a catch share program for some snapper-grouper species.

Snapper-Grouper Amendment 22, which would consider long-term management measures for red snapper as the stock rebuilds.

Snapper-Grouper Amendment 24, which would consider a rebuilding program for red grouper.

Regulatory Amendment 9, which would consider trip limits for black sea bass, vermilion snapper, gag, and greater amberjack.

- **Coral**  
Comprehensive Ecosystem-Based Amendment (CE-BA) I, which would amend the Coral FMP to establish deepwater Coral Habitat Areas of Particular Concern, create allowable fishing areas for deepwater shrimp and golden crab fisheries, and amend current FMPs to comply with the EFH final rule.
- **Coastal Migratory Pelagics**  
Coastal Migratory Pelagics Amendment 18, which would include ACLs and AMs for king mackerel, Spanish mackerel, and cobia.
- **Comprehensive ACL**  
Comprehensive ACL Amendment, which would establish ACLs and AMs for species in FMPs that are not experiencing overfishing.
- **Comprehensive Ecosystem-Based Amendment 2**  
CE-BA 2, which would specify status determination criteria, ACLs and AMs for octocorals in the South Atlantic; transfer management authority of octocorals to the state of Florida; modify management of South Carolina special management zones; and amend Council FMPs as needed to designate new (or modify existing) EFH and EFH-habitat of particular concern.
- **Spiny Lobster**  
Spiny Lobster Amendment 10, which would modify the tailing permit; modify the federal 50 short rule that allows use of undersized spiny lobster as attractants; limit spiny lobster fishing in certain areas in the EEZ off Florida to address Endangered Species Act (ESA) concerns for staghorn and elkhorn corals; require gear markings so all spiny lobster trap lines in the EEZ off Florida are identifiable; allow the public to remove trap line, buoys, or otherwise make unfishable, any spiny lobster gear found in the EEZ off Florida; and specify ACLs and AMs.
- **Golden Crab**  
Golden Crab Amendment 5, which would consider a limited access privilege program for golden crab.

- **Other Council Actions**

Administered and actively participated in the Southeast Data Assessment and Review (SEDAR) process for South Atlantic and Gulf of Mexico black grouper; South Atlantic red grouper; South Atlantic and Gulf of Mexico spiny lobster; South Atlantic black sea bass; and South Atlantic red snapper.

Continued to support NMFS, by participating in activities of the International Commission for the Conservation of Atlantic Tunas Advisory Committee and the Highly Migratory Species (HMS) and Billfish Advisory Panels.

Council priorities for 2011 include:

- Submit Snapper-Grouper Amendment 18 to the Secretary;
- Submit the Comprehensive ACL Amendment to the Secretary;
- Continue development of Snapper-Grouper Amendment 20;
- Continue development of Snapper-Grouper Amendment 21;
- Continue development of Snapper-Grouper Amendment 22;
- Continue development of Snapper-Grouper Amendment 24;
- Continue development of Regulatory Amendment 9;
- Continue development of the Comprehensive Ecosystem Based Amendment 2;
- Continue development of CMP Amendment 18;
- Submit Spiny Lobster Amendment 10 to the Secretary;
- Continue development of Golden Crab Amendment 5; and
- Actively participate in the SEDAR process for South Atlantic black sea bass (update); South Atlantic snowy grouper (update); South Atlantic gag (update); South Atlantic speckled hind (benchmark); and South Atlantic warsaw grouper (benchmark).

#### 4. Gulf of Mexico Fishery Management Council (GMFMC)

##### BACKGROUND SUMMARY:

Terms expired in 2010 for three GMFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives is four commercial, five recreational, and two “other,” which represents a change from four commercial, four recreational, and three “other.” The current geographical balance regarding the distribution of at-large seats on the GMFMC remains unchanged. The appointees and reappointee are as follows:

##### **New Member/Fishing Sector**

Douglass W. Boyd/recreational  
Harolyn K. Williams/commercial  
Lawrence G. Abele/ “other”

##### **Outgoing Member/Fishing Sector**

Michael S. Ray/ “other”  
Reappointment  
Julie K. Morris/ “other” (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the GMFMC:

2010 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL (11 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	BOYD, DOUGLASS W.	TX	2013	R
O	GILL, ROBERT P.	FL	2012	C
O	MCKNIGHT, DAMON P.	LA	2012	R
O	WILLIAMS, HAROLYN K.	MS	2013	C
O	GREENE, JOHN R. JR.	AL	2012	R
A	SHIPP, ROBERT L.	AL	2011	R
A	SAPP, EDWARD W.	FL	2011	R
A	HENDRIX, JOSEPH P. JR.	TX	2011	C
A	ABELE, LAWRENCE G.	FL	2013	O
A	PEARCE, HARLON H.	LA	2012	C
A	MCILWAIN, THOMAS D.	MS	2012	O

##### EXPIRING TERMS:

The following members’ terms will expire on August 10, 2011:

1. Robert L. Shipp – recreational fishing sector – at-large seat (Alabama)
2. Edward W. Sapp – recreational fishing sector – at-large seat (Florida)

3. Joseph P. Hendrix Jr. – commercial fishing sector – at-large seat (Texas); by law, Mr. Hendrix, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

## **2011 REPORT RECOMMENDATIONS:**

Of the eight members whose terms do not expire in 2011, three are from the commercial sector, three are from the recreational sector, and two are from the “other” sector. The remaining commercial members’ experience includes harvesting, processing and seafood marketing, while the recreational members are all rod-and-reel fishermen.

The three council members whose terms expire in 2011 include one outgoing member from the commercial sector and two from the recreational sector. The reauthorized Magnuson-Stevens Act requires a governor of a state submitting a list of names of individuals for appointment by the Secretary to the GMFMC to include at least one nominee each from the commercial, recreational, and charter fishing sectors, and at least one other individual who is knowledgeable regarding the conservation and management of fisheries resources in the jurisdiction of the Council.

## **DISCUSSION:**

The GMFMC has prepared FMPs and amendments for the following fisheries or living marine resources in the Gulf of Mexico EEZ: reef fish, shrimp, coral and coral reefs, red drum, and stone crab. The GMFMC and the SAFMC have prepared joint FMPs for the spiny lobster fishery and CMP species in the Gulf of Mexico and South Atlantic.

In 2010, the Council’s management actions included:

- **Reef Fish**

NMFS implemented, on January 1, 2010, the Council’s Amendment 29 to the Reef Fish FMP, which established a catch share program (Individual Fishing Quota (IFQ)) for grouper and tilefish.

Amendment 31 to the Reef Fish FMP is intended to reduce the take of sea turtles by the bottom longline component of the reef fish fishery. The Council submitted the amendment to NMFS in September 2009. The regulations, effective May 26, 2010, established a restrictive endorsement qualifier to continue using longline gear in the eastern Gulf of Mexico, prohibited the use of bottom longline gear to fish for reef fish shoreward of the 35-fathom contour from June 1 through August 31 (the existing 20-fathom boundary would apply the remainder of the year), and restricted the number of hooks that may be possessed onboard each reef fish bottom longline vessel in the eastern Gulf of Mexico to 1,000 hooks total, only 750 of which can be rigged for fishing at any given time.

**Greater Amberjack Quota Adjustment:** In accordance with established AMs, the Gulf Council approved rulemaking by NMFS to adjust the 2010 commercial and recreational greater amberjack quotas because of 2009 quota overruns. A final rule, effective June 22, 2010, adjusted the recreational quota to 1,243,184 pounds (lb), and the commercial quota to 373,072 lb.

**Red Snapper Regulatory Amendment:** The Gulf Council approved a regulatory amendment to adjust the current 5.000 million pound (MP) total allowable catch (TAC) for red snapper to 6.945 MP. This led to rulemaking, effective June 2, 2010, to increase the commercial and recreational quotas to 3.542 and 3.403 MP, respectively. The rule also contained an announcement that the recreational fishing season would occur from June 1 through July 23.

**Recreational Red Snapper Emergency Rule:** The recreational red snapper quota was not met during the June 1 through July 23 season. The Gulf Council, at its June 2010 meeting, requested NMFS publish an emergency rule to allow the agency to re-open the recreational fishing season after September 30, 2010. NMFS is currently reviewing a final rule to make this request effective. Similarly, at its August 2010 meeting, the Gulf Council requested NMFS publish an in-season temporary rule re-opening the recreational red snapper fishing season on eight consecutive weekends (Friday through Sunday) beginning October 1, 2010. This rule published October 24, 2010.

**Alternative Gag and Red Grouper Actions:** Because of delays in completing Amendment 32 (see 2011 priorities), the Gulf Council is taking alternative actions that can be effective by January 1, 2011. A regulatory framework amendment is being finalized to reduce red grouper TAC for the 2011 fishing year. In addition, the Gulf Council has requested NOAA's NMFS develop an interim rule to implement the needed commercial quota reduction for gag, to prohibit red grouper multi-use IFQ allocation from being used for gag, and to prohibit the harvest of gag by the recreational sector until permanent measures in Amendment 32 can be implemented that allow a restricted recreational harvest.

- **Coastal Migratory Pelagics**

The GMFMC voted at its February 2010 meeting to revise its control dates for the king and Spanish mackerel fisheries. The GMFMC selected control dates of June 30, 2009, and March 31, 2010, for king and Spanish mackerel, respectively. An advanced notice of proposed rulemaking published in the Federal Register on March 15, 2010. The comment period closed on April 14, 2010.

- **Other Council Actions**

The Council convened various Scientific and Statistical Committees (SSCs) and Advisory Panels to address ACLs, AMs, and associated control rules for upcoming amendments.

The Council participated in the following workshops and meetings:

- SEDAR reviews for black grouper, Yellowedge grouper, tilefish, greater amberjack, and spiny lobster;
- SEDAR Procedural Workshop IV- Evaluating Assessment Uncertain;
- The Council Chairs Committee meeting;
- The National Habitat assessment workshop; and
- Data analysis and review meetings such as the Fisheries Information Network, SEAMAP, and national SSC meetings.

Council priorities for 2011 include:

- Finalize development of Amendment 18 to the CMP FMP, which would establish ACLs and AMs for coastal migratory species, in cooperation with the South Atlantic Council, with a 2011 target date for implementation;
- Finalize development of Amendment 10 to the Spiny Lobster FMP, which would establish ACLs and AMs for spiny and slipper lobsters, in cooperation with the South Atlantic Council, with a 2011 target date for implementation;
- Finalize development of a Comprehensive ACL/AM amendment for managed stocks that are not undergoing overfishing, with a 2011 target date for implementation;
- Finalize development of Amendment 32 to the Reef Fish FMP, which would adjust harvesting restrictions, ACLs, and AMs for gag and red grouper, and establish a rebuilding plan for the overfished gag grouper stock, with a target implementation date of late 2011;
- Initiate consideration of catch share amendments for the remaining reef fish species (Reef Fish Amendment 33) and CMP (Coastal Migratory Pelagics Amendment 20);
- Investigate means to appropriately adjust allocations among sectors for managed species;
- Initiate investigations to develop an amendment to the CMP FMP regarding revocation of latent permits; and
- Participate in a SEDAR assessment update for vermilion snapper and gray triggerfish, and finalize a spiny lobster assessment and a greater amberjack update assessment.

## 5. Caribbean Fishery Management Council (CFMC)

### BACKGROUND SUMMARY:

The term expired in 2010 for one CFMC member. As a result of the 2010 appointment, the composition of fishing sector representatives remains the same at two commercial, one recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the CFMC remains unchanged. The reappointee is as follows:

**New Member/Fishing Sector**  
Winston J. Ledee/commercial

**Outgoing Member/Fishing Sector**  
Reappointment

The following table lists the Secretarial appointees currently on the CFMC:

2010 CARIBBEAN FISHERY MANAGEMENT COUNCIL (4 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	FARCHETTE, CARLOS F.	VI	2012	O
O	PIÑEIRO-SOLER, EUGENIO	PR	2011	C
A	HANKE, MARCOS R.	PR	2012	R
A	LEDEE, WINSTON J.	VI	2013	C

### EXPIRING TERM:

The following member’s term will expire on August 10, 2011:

1. Eugenio Piñeiro-Soler – commercial fishing sector – Puerto Rico’s obligatory seat; by law, Mr. Soler, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

### 2011 REPORT RECOMMENDATIONS:

Of the three members whose terms do not expire in 2010, one is from the commercial fishing sector, one is from the recreational fishing sector, and one is from the “other” sector. The one upcoming vacancy includes an outgoing member from the commercial fishing sector. The Governor of Puerto Rico is encouraged to nominate nominees from both the commercial and recreational fishing sectors, as well as nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## **DISCUSSION:**

The CFMC has prepared FMPs and amendments for the following fisheries or living marine resources in the Caribbean EEZ: spiny lobster, reef fish, coral and reef associated plants and invertebrates, and queen conch.

In 2010, the Council's management actions included:

- **Queen Conch**

Developed Amendment 2 for the Queen Conch FMP, which established ACLs and AMs for queen conch, considered to be undergoing overfishing. The Council voted to submit Amendment 2 to the Secretary for review.

Developed a regulatory amendment to the Queen Conch FMP, which established compatible regulations closure (seasonal and quota) with the U.S. Virgin Islands (USVI). The Council voted to submit the regulatory amendment to the Secretary for review.

- **Reef Fish**

Development and final action of a regulatory amendment modifying seasonal management for Bajo de Sico off the west coast of Puerto Rico (PR) from a 3-month to a 6-month closure for Council managed species and a prohibition of anchoring to protect the coral/sponge-dominated habitat.

Development of Amendment 5 for the Reef Fish FMP, which would establish ACLs/AMs for reef fish species considered to be overfished. The Council unanimously approved the subject amendments for review and implementation by the Secretary. If approved, the amendments would:

1. Redefine the composition of select fishery management units (FMUs);
2. Specify management reference points and island-specific ACLs for each FMU undergoing overfishing (queen conch, several snappers, groupers and parrotfish);
3. Establish recreational bag limits;
4. Prohibit the harvest of several parrotfish species;
5. Establish AMs to be invoked if ACLs are exceeded; and
6. Develop framework measures for each FMP to streamline future management changes.

Developed an options paper for Amendment 4 to the Reef Fish FMP, which would require escape vents in fish traps.

- **Other Council Actions**

The Council coordinated and participated in the following workshops and meetings:

- Annual Catch Limit Working Group to gain advice on setting ACLs in data poor areas;
- Informal workshops with commercial fishermen on ACLs and AMs;

- Workshops to improve data collection in the U.S. Caribbean (2010), including a SEDAR program Caribbean Data Evaluation Workshop (2009);
- International Large Marine Ecosystem project;
- The Nassau Grouper Workshop, in coordination with the participation of NMFS Office of International Fisheries and the Secretariat of Western Central Atlantic Fisheries Commission;
- Development of a Marine Recreational Information Program for the United States;
- Coral Reef Conservation Program Grants, to provide the first characterization of seasonally closed areas (Abrir La Sierra off the west coast of PR and the mutton snapper area off St. Croix). In 2010, began the characterization of El Seco, an unprotected spawning aggregation site for tiger grouper in Vieques, PR; and
- Informal workshops with commercial fishermen and local government on determination of the feasibility of a trap reduction program in the USVI.

Council priorities for 2011 include:

- Development of amendments to the Reef Fish, Spiny Lobster, and Coral FMPs to implement ACLs/AMs for species not already having these limits and measures;
- Development of an options paper on the feasibility of a trap reduction program for USVI fisheries;
- Begin development of an amendment to establish federal permits for commercial and charter boat fisheries in the U.S. Caribbean;
- Continue development of Amendment 4 to the Reef Fish FMP and Amendment 3 to the Spiny Lobster FMP requiring escape vents in traps;
- Review the EFH Generic Amendment to the FMPs and develop management alternatives if needed;
- Revise the monitoring and research priorities pursuant of the fisheries management in place; and
- Organize workshops with commercial fishermen on the west coast of PR to develop a catch share program.

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## 6. Pacific Fishery Management Council (PFMC)

### BACKGROUND SUMMARY:

Terms expired in 2010 for two PFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives remains the same at three commercial, four recreational, one “other,” and one tribal representative, who is counted as a member of the “other” sector. The current geographical balance regarding the distribution of available at-large seats on the PFMC remains unchanged. The appointee and reappointee are as follows:

#### New Member/Fishing Sector

Herbert A. Pollard II/recreational

Danny L. Wolford/recreational

#### Outgoing Member/Fishing Sector

David W. Ortmann/recreational (ineligible, by law, for a fourth consecutive term)

Reappointment

The following table lists the Secretarial appointees currently on the PFMC:

2010 PACIFIC FISHERY MANAGEMENT COUNCIL (9 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	CEDERGREEN, MARK V.	WA	2011	R
O	POLLARD, HERBERT A. II	ID	2013	R
O	CRABBE, DAVID M.	CA	2012	C
O	LOWMAN, DOROTHY M.	OR	2012	O
O	PFMC TRIBAL SEAT (*T): SONES, DAVID B.	WA	2012	T
A	MYER, DALE D.	WA	2012	C
A	MOORE, RODNEY H.	OR	2011	C
A	BRIZENDINE, WILLIAM L. II	CA	2012	R
A	WOLFORD, DANNY L.	CA	2013	R

### EXPIRING TERMS:

The following members' terms will expire on August 10, 2011:

1. Mark V. Cedergreen – recreational fishing sector – Washington’s obligatory seat; by law, Mr. Cedergreen, who is completing his third consecutive term, is ineligible for renomination to a fourth consecutive term.

2. Rodney H. Moore – commercial fishing sector – at-large seat (Oregon)

## **2011 REPORT RECOMMENDATIONS:**

Of the seven members whose terms do not expire in 2011, two are from the commercial sector (harvesters, seafood processors), three are from the recreational sector utilizing rod-and-reel and hook-and-line gear, and two are from the “other” sector.

The two upcoming vacancies in 2011 include one outgoing member from the commercial sector and one from the recreational sector. The governors are encouraged to provide the Secretary with nominees from the commercial sector with expertise in all fisheries managed by the PFMC, as well as nominees from the recreational sector as a basis for maintaining a balance of both sector interests. Also, governors are encouraged to nominate nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## **DISCUSSION:**

The PFMC has prepared FMPs for: Pacific Coast groundfish, West Coast salmon, coastal pelagic species, and highly migratory species fisheries.

The PFMC also has responsibility for recommending allocations of Pacific halibut among treaty Indian and non-Indian commercial and recreational users in Area 2A under the Northern Pacific Halibut Act.

In 2010, the Council’s management actions included:

- **Ecosystem Plan**  
Continued development of an Ecosystem Plan assisted by a Plan Development Team to help establish the form and details of the plan.
- **Groundfish**  
Adopted final 2010 management specifications and measures for the Pacific whiting fishery.

Adopted final harvest specifications, management measures, and rebuilding plan revisions for the 2011-2012 Pacific Coast groundfish fisheries.

Deemed regulations for implementing a trawl rationalization program and intersector harvest allocations in the commercial groundfish fishery, which will establish a system of IFQs for the shoreside trawl fishery and harvest cooperatives in the at-sea whiting trawl fishery.

Adopted an amendment to the groundfish FMP implementing ACLs and AMs in response to the reauthorization of the Magnuson-Stevens Act.

Began work on trailing amendments to the trawl catch shares program to enhance the beneficial operation of the program.

- **Salmon**

For the 2010 salmon season, adopted ocean salmon seasons to protect Sacramento River and Lower Columbia River Chinook.

Initiated an overfishing review for Sacramento River Fall Chinook.

Initiated work on a 5-year review of salmon EFH.

Moved toward final adoption of a FMP amendment to implement ACLs and AMs in response to the reauthorization of the Magnuson-Stevens Act.

- **Pacific Halibut**

Adopted final 2010 incidental halibut catch regulations in the commercial salmon fishery.

Adopted proposed changes to the catch share program for 2011.

- **Coastal Pelagic Species**

Recommended that NMFS issue an exempted fish permit for the second year of an industry-sponsored Pacific sardine research survey in 2010 that utilizes aerial surveys. Information from the first year of this research was used to establish the sardine fishery specifications for 2010.

Adopted final 2010-2011 management specifications and measures for the Pacific mackerel fishery, as well as 2011 specifications and measures for the sardine fishery.

Adopted a FMP amendment implementing ACLs and AMs in response to the reauthorization of the Magnuson-Stevens Act.

- **Highly Migratory Species**

Adopted an amendment to the FMP implementing ACLs and AMs in response to the reauthorization of the Magnuson-Stevens Act.

Adopted recommendations for changes to biennial management measures for the 2011-2012 fishery.

- **International**

Provided input for tuna conservation measures to the General Advisory Committee to the U.S. Section of the Inter-American Tropical Tuna Commission (IATTC) and to the

U.S. delegations of the Northern Committee and the Western and Central Pacific Fisheries Commission (WCPFC).

Council priorities for 2011 include:

- Review, modify and initiate the process for developing groundfish harvest specifications and management measures for 2013-2014;
- Review and approve new groundfish stock assessments for setting specifications for 2013-2014.
- Complete trailing amendments for a limited access privilege program for the groundfish trawl fishery and associated intersector allocations;
- Complete the 5-year review of salmon EFH and initiate the 5-year review of groundfish EFH;
- Continue to address the challenge of providing opportunities for commercial, recreational, and treaty Indian fisheries in the ocean while protecting ESA-listed and other depressed salmon stocks;
- Continue efforts to develop an Ecosystem FMP;
- Consider retention of the Pacific halibut bycatch in some fixed gear fisheries;
- Gather information regarding characteristics of the domestic and international albacore fishing fleets for the purpose of assuring conservation and anticipating any need for domestic fishery limitation controls; and
- Adopt a final ACL amendment for the salmon FMP.

## 7. North Pacific Fishery Management Council (NPFMC)

### BACKGROUND SUMMARY:

Terms expired in 2010 for two NPFMC obligatory members. As a result of the 2010 appointments, the composition of fishing sector representatives on the NPFMC remains unchanged at six commercial and one recreational. There are no available at-large seats on the NPFMC. The reappointees are as follows:

#### New Member/Fishing Sector

Duncan S. Fields/commercial

Samuel R. Cotten/commercial

#### Outgoing Member/Fishing Sector

Reappointment

Reappointment

The following table lists the Secretarial appointees currently on the NPFMC:

2010 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (7 Members)				
Obligatory +	Appointed Members	State	Appt. Ends	Interest Sector
O	BENSON DAVID W.	WA	2012	C
O	HENDERSCHIEDT, JOHN J.	WA	2011	C
O	HULL, HOWARD D.	AK	2012	C
O	FIELDS, DUNCAN S.	AK	2013	C
O	COTTEN, SAMUEL R.	AK	2013	C
O	OLSON, ERIC A.	AK	2011	C
O	DERSHAM, ROBERT E.	AK	2012	R

### EXPIRING TERMS:

The following members' terms will expire on August 10, 2011:

1. John J. Henderschedt – commercial fishing sector – Washington's obligatory seat
2. Eric A. Olson – commercial fishing sector – Alaska's obligatory seat

### 2011 REPORT RECOMMENDATIONS:

Of the five members whose terms do not expire in 2011, four are from the commercial sector with experience in processing and harvesting, and one is from the recreational fishing sector. The two upcoming vacancies include two outgoing members from the commercial sector.

Although commercial fisheries are particularly important in this region, the governors are encouraged to continue to nominate persons from the recreational fishing sector and from the “other” sector. “Other” sector nominees should include persons with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management. Recently, Alaska native tribal entities also have voiced strong support for greater representation on the NPFMC.

## **DISCUSSION:**

The NPFMC has six FMPs for: Groundfish of the Gulf of Alaska, Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI), Salmon Fisheries in the EEZ off the Coast of Alaska, Bering Sea/Aleutian Islands King and Tanner Crab, the Scallop Fishery off Alaska, and Fishery Resources of the Arctic Management Area.

In 2010, the Council’s management actions included:

- **Fishery Management Plans**

The NPFMC recently adopted additional amendments to the groundfish, crab, and scallop FMPs, which have not yet been approved and implemented. Of special note are the FMP amendments adopted by the Council in 2010 to establish ACLs for the groundfish, crab and scallop fisheries to comply with Congressional directives under the Magnuson-Stevens Act. Routine management of the fisheries under the salmon, scallop, and BSAI crab FMPs is deferred to the State of Alaska, while the NPFMC retains oversight of major allocation, overfishing definition, and habitat management issues. In addition, under the Northern Pacific Halibut Act of 1982, the NPFMC has authority over allocation issues affecting the Pacific halibut fishery in and off Alaska, while the International Pacific Halibut Commission (IPHC) retains responsibility for conservation management of this fishery.

- **Rebuilding Plans**

Of all fisheries managed under FMPs, only two species are currently under rebuilding plans: the Pribilof Island blue king crab and Bering Sea snow crab. After NMFS determined that each of these stocks was overfished, the NPFMC promptly developed rebuilding plans for these species, as required by the Magnuson-Stevens Act, and these plans have been approved by NMFS. Rebuilding plans were approved for Pribilof Island blue king crab in 2004 (FMP Amendment 17) and Bering Sea snow crab in 2001 (FMP Amendment 14). During 2010, the abundance of only Pribilof Island blue king crab continues to be below its minimum stock size threshold. Although the NPFMC had initiated an analysis in 2010 to revise the Bering Sea snow crab rebuilding plan because the stock failed to rebuild within 10 years, the most recent scientific information and updated model approach developed to assess snow crab abundance indicates that the

Bering Sea snow crab stock never was overfished and that an amendment to the current rebuilding plan is not necessary. Current abundance is estimated at 96 percent of  $B_{msy}$ .

Council priorities for 2011 include:

- Assessing the final biological opinion developed by NMFS in 2010 on the impacts of the groundfish fisheries on endangered Steller sea lions and associated mitigation measures to determine whether adequate protections to these animals could be provided through measures that are less costly to fisheries and coastal communities. This process could result in the analysis of proposed changes to Steller sea lion protection measures and further consultation under section 7 of the ESA on any changes to groundfish fisheries management;
- Restructuring of the Observer Program to monitor the groundfish and Pacific halibut fisheries, including the consideration of electronic monitoring to address concerns or practicality of deploying observers on small vessels. The restructured program would include a fee based system that would allow for more flexibility to deploy observers needed to collect quality catch information in the groundfish and Pacific halibut fisheries;
- Assessing options to reduce bycatch of Pacific halibut, crab, salmon, and other species caught incidentally in the groundfish fisheries;
- Updating and revising the FMP for the Salmon Fisheries in the EEZ off the Coast of Alaska in close coordination with the State of Alaska and NMFS;
- Refining the various catch share programs developed by the NPFMC and implemented by NMFS; and
- Addressing ongoing domestic allocation issues associated with the Pacific halibut resource in recognition that the overall coast wide harvest strategy for this resource is established by the IPHC.

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## **8. Western Pacific Fishery Management Council (WPFMC)**

### **BACKGROUND SUMMARY:**

Terms expired in 2010 for two WPFMC members. As a result of the 2010 appointments, the composition of fishing sector representatives on the WPFMC remains unchanged at two commercial, three recreational, and three “other.” The current geographical balance regarding the distribution of at-large seats on the WPFMC remains unchanged. The appointee and reappointee are as follows:

#### **New Member/Fishing Sector**

Julie A.K. Leialoha/ “other”  
William A. Sword/recreational

#### **Outgoing Member/Fishing Sector**

Peter T. Young/ “other”  
Reappointment

The following table lists the Secretarial appointees currently on the WPFMC:

2010 WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	DUEÑAS, MANUEL P. II	GU	2012	C
O	HALECK, STEPHEN	AS	2012	R
O	SABLAN, BENIGNO M.	CNMI	2011	O
O	MARTIN, SEAN C.	HI	2012	C
A	LEIALOHA, JULIE A.K.	HI	2013	O
A	DUERR, FREDERICK E.	HI	2011	R
A	ITANO, DAVID G.	HI	2011	O
A	SWORD, WILLIAM A.	AS	2013	R

### **EXPIRING TERMS:**

The following members’ terms will expire on August 10, 2011:

1. Benigno M. Sablan – “other” sector – Commonwealth of the Northern Mariana Islands’ obligatory seat; by law, Mr. Sablan, who is completing his third consecutive term, is ineligible for renomination to a fourth consecutive term.
2. Frederick E. Duerr – recreational fishing sector – at-large seat (Hawaii)
3. David G. Itano – “other” sector – at-large seat (Hawaii)

## **2011 REPORT RECOMMENDATIONS:**

Of the five appointed members whose terms do not expire in 2011, two are from the commercial fishing sector with harvesting, processing, and/or marketing experience, two are from the recreational fishing sector, and one is from the “other” sector. The three upcoming vacancies include one from the recreational fishing sector and two from the “other” sector. To maintain sector balance on the WPFMC, the governors are encouraged to nominate representatives from the commercial fishing sector, the recreational fishing sector, and the “other” sector. “Other” sector nominees should include persons with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

## **DISCUSSION:**

Domestic fisheries in U.S. EEZ waters of the western Pacific (Pacific Islands) region are managed under five western Pacific FMPs: Crustaceans FMP, Precious Corals FMP, Bottomfish and Seamount Groundfish FMP, Pelagics FMP and Coral Reef Ecosystems FMP.

- **Western Pacific Community Development Program**

In 2010, the Secretary approved (and NMFS implemented) WPFMC’s Amendment 1 to the American Samoa, Hawaii, Mariana and Pacific Pelagic Fishery Ecosystem Plans (FEPs) that established eligibility requirements and procedures for reviewing and approving community development plans for western Pacific fisheries. The western Pacific Community Development Program is intended to provide access to fisheries for western Pacific communities of which the indigenous residents conduct commercial or subsistence fishing using traditional practices.

- **Hancock Seamount Ecosystem Management Area**

In November 2010, the Secretary approved (and NMFS implemented) Amendment 2 to the Hawaii FEP, which prohibits fishing for bottomfish and seamount groundfish at Hancock Seamounts in the Northwestern Hawaiian Islands. This will facilitate the rebuilding of pelagic armorhead, a stock overfished as a result of over-exploitation by foreign vessels in international waters, dating back to at least the 1970s. Although there has never been a U.S. fishery targeting armorhead, the prohibition will continue until the stock is rebuilt. Amendment 2 also designates Hancock Seamounts (the only known armorhead habitat within the EEZ) as an ecosystem management area to enable research on armorhead and other seamount groundfish.

- **Hawaiian Island Bottomfish**

As recommended by WPFMC, NMFS established a TAC limit of 254,050 lbs of main Hawaiian Islands (MHI) bottomfish (seven deepwater species) for the 2010-2011 fishing

year (September 1, 2010, to August 31, 2011). This TAC is associated with a zero percent risk of overfishing of Hawaiian archipelagic bottomfish stocks. The 2009-2010 MHI fishery was closed April 20, 2010, with a total accumulated catch of 224,000 lbs (~88% of the TAC).

Council priorities for 2011 include:

- In 2010, WPFMC developed an omnibus ACL amendment that establishes a mechanism for specifying ACLs and AMs for all federally-managed fish stocks in the western Pacific region. The amendment includes a tiered system for setting acceptable biological catch, a methodology for determining the risk of overfishing (P\*), three methods for determining ACLs, an annual catch target control rule, a suite of AMs, and the use of ecosystem component classification and statutory exceptions. NMFS expects to initiate Secretarial review of the amendment by the end of 2010.
- WPFMC will continue to work with NMFS and partner agencies to develop fishing regulations for non-commercial fishing activities within the Rose Atoll, Mariana Trench and Pacific Remote Islands Marine National Monuments.
- The WPFMC will continue to work with NMFS, the WCPFC, and the IATTC on the management of pelagic resources in the Western and Central Pacific Ocean and Eastern Pacific Ocean, and address impacts of international fisheries on protected species such as sea turtles, seabirds, and marine mammals, as well as sharks, and assist in the development and implementation of conservation and management measures aimed at reducing fishing mortality on bigeye and yellowfin tuna over the next 3 years. The WPFMC will also work with NMFS to provide information for the emerging regional fisheries management organizations Protection of Vulnerable Marine Ecosystems and Sustainable Management of High Seas Bottom Fisheries in the North Pacific Ocean.
- The WPFMC will continue work to further incorporate ecosystem-based management in the implementation of the FEPs. These include efforts to increase place-based management and participation of local communities.

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## **F. APPENDIX – STATISTICAL FISHERIES DATA**

In addition to assessing the apportionment of membership on each RFMC, this report provides the following statistical information about the status of fisheries managed under each RFMC, and also identifies the number of RFMC members participating in those fisheries. The most recent data were compiled to show the volume of fisheries production and the related effort in each fishery managed under an FMP.<sup>4/</sup>

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<sup>4/</sup>The Secretary also has management authority over HMS in the EEZ off the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico coasts. An additional table has been included with the following Appendix, which lists FMPs and other statistical data for Atlantic and Gulf HMS.

## Appendix

This appendix provides statistical data required by Section 302(b)(2)(B)(i) of the Magnuson-Stevens Act. Unless otherwise indicated, the data are for the 2009–2010 fisheries listed by FMP. Reported landings are for catches throughout the entire range of a fishery managed under the FMP. Beginning from the leftmost column, the listed data are:

1. FMPs developed by each RFMC;
2. Type of fishery managed under each plan, i.e., commercial or recreational, or mixed (see below);
3. Species/species groups making up each fishery;
4. Weight of each species or species group in a fishery landed in 2008 (or as otherwise indicated) showing both the landings for commercial and recreational fishermen, if recreational information is available;
5. Number of fishermen participating in the listed fisheries, if available; otherwise, the number of U.S. vessels either permitted or estimated to be operating in the fishery;
6. Gear and processing methods used in each fishery;
7. Range and seasonality of the fishery; and
8. Number of current RFMC members who are commercial or recreational sector participants in each fishery; or their representatives.<sup>5/</sup>

### LEGEND FOR TYPE FISHERIES

C - Commercial fishery: Eighty percent or more of the reported landings are by commercial fishermen.

c - Mainly commercial fishery: More than 60 percent (-) but less than 80 percent (-) of the reported landings are by commercial fishermen.

x - Mixed fishery: Sixty percent or less of the reported landings are by each group of commercial and of recreational fishermen.

r - Mainly recreational fishery: More than 60 percent (-) but less than 80 percent (-) of the reported landings are by recreational fishermen.

R - Recreational fishery: Eighty percent or more of the reported landings are by recreational fishermen.

<sup>5/</sup>Vertical sums in the attached appendices may not match the sums entered for interest sectors in Table 1 on page 6. If one or more Council members actively participated in more than one fishery, the vertical sum will exceed the number entered in the interest sector column. Also, if a Council member participated in a currently closed fishery, he or she is still listed as a representative of the fishery in the table because of the expertise they bring to the Council regarding the operation of the fishery.

A-i NEW ENGLAND FISHERY MANAGEMENT COUNCIL (NEFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2009	Vessels (permits) 2009	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010	
								Comm.	Rec.
Northeast Multi-Species	C	Commercial Atlantic cod Haddock Pollock Hakes Ocean perch (redfish) Yellowtail flounder American plaice Winter flounder Witch flounder Windupane flounder* Atlantic halibut Ocean pout	7,648 5,115 6,602 9,485 1,461 1,606 1,396 2,214 954 81 39 3	3,109	trawl, dredge, longline, gillnet, hook & line	FMP area/year round	gutted	8	3
	R	Recreational Cod Pollock Winter flounder	1,677 576 150	795	hook & line	FMP area/year round	gutted, filleted		
Atlantic Sea Scallops	C	Atlantic sea scallops	26,175	941	dredge & trawl	FMP area/year round	hand shucking and freezing	3	0
Atlantic Salmon	R	Atlantic salmon	0	None	none	None	none	0	0
Deep-sea Red Crab	C	Deep-sea red crab	993	1,662	Traps, trawl	FMP area/year round	whole, partially processed at sea	1	0
Atlantic Herring	C	Atlantic herring	101,113	2,494	Mid-water trawl; purse seines; weirs; otter trawl	FMP area/year round	fresh/canned shoreside/fresh bait	3	0
Monkfish	C	Monkfish	4,696	2,813	gillnets, trawls, dredges	FMP area/year round	fresh	7	0

NEFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
7	3	2

Commercial fisheries landings statistics were provided by the Northeast Region and are based on information in the Region's data base as of September 2010. Recreational fisheries information was obtained from the Office of Science and Technology at <http://www.st.nmfs.gov/stl/recreational/queries/index.html> and are based on the results of the 2009 Marine Recreational Fisheries Statistics Survey.

## A-ii MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (MAFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2009	Vessels (permits) 2009	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010	
								Comm.	Rec.
Atlantic Mackerel, Squid & Butterfish	C	Commercial Atlantic mackerel	22,634	2,702	otter trawl, trap, gillnet	FMP area/year round	frozen, whole	2	1
	C	Squid, Loligo Squid, Flex Butterfish	9,306 18,418 435	(Combine) 2,367	trawl; traps	FMP area/year round	at-sea & ashore, some mackerel fillets		
	R	Recreational Atlantic mackerel	747	851		FMP area/year round			
Atlantic Surf Clam & Ocean Quahogs	C	Atlantic surfclams Ocean quahogs	22,283 15,834	839 875	Dredge	FMP area/year round (ITQ mgmt.)	shucked shoreside	1	
Summer Flounder (fluke)	x	Commercial Recreational	5,017 2,873	957 929	hook & line, otter trawl, trap, gillnet	FMP area/year round	fillets ashore; fresh & frozen	3	3
	x	Commercial Recreational	3,721 1,334	808 834					
	x	Commercial Recreational	536 1,269	845 904					
Tilefish	C	Golden Tilefish	790	2,396	longline, hook & line	FMP area/year round	fresh/frozen	1	
Atlantic Bluefish	X	Commercial Recreational	2,937 6,290	3,127 972	hook & line; otter trawl; gillnet	FMP area/year round	fillets fresh/frozen	1	3
	x								
Spiny Dogfish	C	Commercial	5,280	3,020	gillnet; trawl	FMP area/year round	fresh/frozen	5	1

## MAFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
4	4	5

Commercial fisheries landings statistics were provided by the Northeast Region and are based on information in the Region's data base as of September 2010. Recreational fisheries information was obtained from the Office of Science and Technology at <http://www.st.nmfs.gov/stl/recreational/queries/index.html> and are based on the results of the 2009 Marine Recreational Fisheries Statistics Survey.

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2009	Vessels (permits: <sup>1</sup> Federal or Florida (FL))	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010	
								Comm.	Rec.
Golden Crab	C	Golden Crab	335	11	traps	FMP area/ year-round	Fresh		
Snapper/Grouper Fishery of the South Atlantic	X	Commercial Groupers Wreckfish Snappers Other species	655 Confidential 1,179 1,969	748	rod and reel, bandit gear, longline, handline	FMP area/ prohibition on harvest and possession of Nassau grouper and Goliath grouper year-round <sup>2</sup>	at sea, gutted	3	4
		Recreational Groupers Snappers Other Species	417 1,195 3,764	1,513 (for-hire)	handline, rod and reel, bandit gear, spear, powerhead	FMP area			
Penaeid Shrimp Fishery of the South Atlantic Region	C	Commercial All Recreational White	9,047 n/a <sup>3</sup>	567 (penaeid) 103 (rock) n/a <sup>3</sup>	trawls n/a <sup>3</sup>	FMP area/ year-round	shore-side processing	1	
Coral, Coral Reefs, and Live/Hard Bottom Habitat of the South Atlantic Region	C	Commercial-Octocoral <sup>4</sup> (2007 landings) (colonies) Recreational	24,273 (3,509 Fed, 20,784 State) colonies n/a <sup>4</sup>	57 n/a <sup>4</sup>	hand harvest	south FL/ year-round	Fresh		
Gulf of Mexico Spiny Lobster [Jointly managed with GMFMC]									1
Coastal Migratory pelagics [Jointly managed with GMFMC]									3
									4

- 1 Number of vessels with active permits on 12/10/2009.  
2 Commercial fishery for gag and black grouper closed during March and April. Commercial fishery for red porgy closed during January-April. Commercial fishery for greater amberjack closed during April. Fishing prohibited year-round in Oculina HAPC.  
3 Octocoral landings and number of persons harvesting octocoral provided by State of Florida. Federal permits are not required for octocoral harvest.  
4 Not applicable (No recreational fishery in the EEZ).

## SAFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
3	4	1

Sources: Commercial landings information was obtained from the Annual Catch Limit (ACL) datasets produced by the Southeast Fisheries Science Center (SEFSC), Miami, FL, and from the Florida Fish and Wildlife Conservation Commission's Marine Fisheries Information System. Recreational landing estimates were obtained from the SEFSC ACL datasets and include MRFSS and headboat landings data. NMFS Southeast Region, St. Petersburg, FL, provided the Federal permit information for 2009.

## A-iv GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

FISHERY MANAGEMENT PLAN	Type	Fishery/Species, Species Group	Landings (metric tons) 2009	Vessels (permits: <sup>1</sup> Federal or Florida (FL))	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010	
								Comm.	Rec.
Stone Crab Fishery of the Gulf of Mexico	C	Commercial-Stone Crab  Recreational	2,363 (claw weight)  n/a <sup>3</sup>	FL: n/a <sup>2</sup>  n/a <sup>3</sup>	trap, pot  trap, pot, hand harvest	FL West Coast/ Oct-Apr	at-sea, decław; shore-side processing		1
Red Drum Fishery of the Gulf of Mexico	R	Commercial - Red Drum  Recreational	16  5,966 <sup>5</sup>	n/a <sup>6</sup>  n/a <sup>6</sup>	n/a <sup>6</sup>  n/a <sup>6</sup>	EEZ Closed n/a <sup>6</sup>  EEZ Closed n/a <sup>6</sup>	n/a <sup>6</sup>  n/a <sup>6</sup>	4  4	4
Reef Fish Fishery of the Gulf of Mexico	X	Commercial Grouper Red Snapper Other snapper Other species <sup>7</sup>  Recreational Grouper Red Snapper Other snappers Other species <sup>7</sup>	3,118 1,134 2,279 647  1,295 2,087 1,313 1,301	913 (reef fish) 466 (red snapper) <sup>8</sup>  n/a <sup>3</sup> (1,257 for- hire vessel permits)	longline, handline, bandit gear, rod and reel, buoy gear, spear, powerhead  spear, powerhead, bandit gear, handline, rod and reel, cast net	FMP area/ year round 9,10  FMP area/ year round 4,9,	at-sea, gutted; shore-side processing	4  4	4
Shrimp Fishery of the Gulf of Mexico	C	Commercial-All  Recreational	113,054  n/a <sup>3</sup>	1,553  n/a <sup>3</sup>	trawl, butterfly net, skimmer, cast net  trawl	FMP area/ year round; annual TX closure; seasonal FL closure  FMP area/ year round	tail separation at-sea; shore-side processing	1	
Spiny Lobster Fishery of the Gulf of Mexico & South Atlantic [shared w/SAFMC]	C	Commercial <sup>11</sup>  Recreational <sup>11</sup>	1,483  573 <sup>2</sup>	170 commercial 330 tailing FL: n/a <sup>12</sup>  n/a <sup>3</sup>	trap, pot, dip net, bully net, hoop net, trawl, snare, hand harvest  dip net, bully net, pot, trap, snare, hand harvest	Florida/ Aug-Apr  FL / 2-day sport-season in July, Aug-Apr	tail separation at-sea; shore-side processing		
Coral & Coral Reefs of the Gulf of Mexico	C	Commercial Octocoral <sup>2</sup>  Recreational	6,966 (3,863 Fed + 3,103 State) colonies  n/a <sup>3</sup>	10  n/a <sup>3</sup>	hand harvest  hand harvest	South FL/ year round	fresh		
Coastal Migratory Pelagic Resources of the Gulf of Mexico & South Atlantic [shared w/SAFMC]	X	Commercial <sup>11</sup> King mackerel Spanish mackerel  Recreational King mackerel Spanish mackerel	3,009 2,076  3,724 1,677	1,467 1,584  n/a <sup>3</sup> n/a <sup>3</sup> (1,287 Gulf for- hire vessels)	gillnets, longline, bandit gear, handline, rod and reel, purse net  bandit gear, handline, rod and reel, spear	Gulf & South Atlantic: Year round, commercial closures when quotas are reached	At-sea, gutted, Shore-side processing	4	4

A-iv GMFMC (continued) from preceding page:

- 1
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- Number of vessels with active permits on 12/10/2009.
- Data from state of Florida.
- Not Available (no federal permit or reporting requirements, except Gulf for-hire vessels).
- Recreational fishery for red snapper was closed from January 1 to June 1 and from August 15 through December 31.
- State landings only.
- Not applicable (fishery closed in federal waters).
- Includes greater amberjack, lesser amberjack, almaco jack, banded rudderfish, gray triggerfish, tilefishes, and hogfish.
- Individual Fishing Quotas Program participants with active accounts.
- Fishing prohibited year-round on Madison and Swanson sites and Steamboat Lumps. Commercial fishery for gag, red grouper, and black grouper was closed February 15 to March 15.
- Commercial fishery for shallow- and deep-water grouper closes once their respective quotas are met.
- Data from 2008-2009 fishing season.

GMFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
4	5	2

Sources: Commercial landings information was obtained from the Annual Catch Limit (ACL) datasets produced by the Southeast Fisheries Science Center (SEFSC), Miami, FL, and from the Florida Fish and Wildlife Conservation Commission's Marine Fisheries Information System. Recreational landing estimates were obtained from the SEFSC ACL datasets and include MRFSS and headboat landings data. NMFS Southeast Region, St. Petersburg, FL, provided the Federal permit information for 2009.

## A-V CARIBBEAN FISHERY MANAGEMENT COUNCIL (CFMC)

FISHERY MANAGEMENT PLAN	Species/Species Group	Landings (metric tons) 2009	Vessel permits <sup>1</sup>	Gear	Fishing Areas/Seasons	Processing	Participants/ Representatives in 2010	
							Comm.	Rec.
Spiny Lobster	Commercial	139 (PR) n/a <sup>5</sup> (USVI)	n/a	trap/pot, dip net, snare	year-round	fresh, landed whole	2	1
	Recreational	n/a <sup>1</sup>	n/a	dip net, trap, pot	year-round			
Reef Fish (snappers, groupers, other reef species)	Commercial	733 (PR) n/a <sup>5</sup> (USVI)	n/a	longline, spear, hook and line, trap, pot,	area closures <sup>1</sup> , seasonal closures for numerous snappers and groupers;	gutted at-sea, shore-side processing	2	1
	Recreational	156 <sup>2</sup> (PR) n/a <sup>3</sup> (USVI)	n/a	dip net, handline, rod and reel, slurp gun, spear	prohibition on harvest and possession of Nassau and Goliath groupers			
Coral Reef Resources	Commercial Stony Corals Gorgonians Live Rock Other Invertebrates Algae Seagrasses	0 0 0 0 0 0	n/a n/a n/a n/a n/a n/a	dip net, slurp gun, hand harvest	year-round	live, fresh		1
	Recreational	n/a <sup>3</sup>	n/a	dip net, slurp gun, hand harvest				
Queen Conch	Commercial	94 (PR) n/a <sup>3</sup> (USVI)	n/a	hand harvest (no hooka)	closed year round (no harvest) in EEZ except east of St. Croix (portion of Lang Bank) where it is closed seasonally each year July through September	live, landed whole in shell, shore-side processing		
	Recreational	n/a <sup>3</sup>	n/a	hand harvest (no hooka)				

## CFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
2	1	1

<sup>1</sup> Not applicable (no permits required).

<sup>2</sup> Recreational landings off only for Puerto Rico and are collected by the Marine Recreational Fisheries Statistics Survey.  
<sup>3</sup> Not available. Recreational landings in USVI are not collected.

<sup>4</sup> Fishing with pots, traps, bottom longlines, gill nets, and trammel nets is prohibited year-round at Grammanik Bank and at various mutton snapper and red hind spawning aggregation sites. Fishing for any species is prohibited year-round within Hind Bank Marine Conservation District.

<sup>5</sup> Not available. Landings data for 2009 from USVI are not yet available.

Sources: Puerto Rican and USVI Commercial landings were obtained from the Southeast Fisheries Science Center (SEFSC), Miami. Puerto Rico commercial landings are from the Accumulated Landings System at the Southeast Fisheries Science Center (SEFSC), Miami, FL.

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	2009 Landings (salmon in # of fish, others in metric tons)	2009 Permits (Vessels) & Angler Trips	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010*	
								Comm.	Rec.
Ocean Salmon Fisheries off the Coasts of Washington, Oregon, and California 2	x	Commercial Chinook salmon Coho salmon Pink salmon	26,412 102,092 879	CA Troll 1,263 OR Troll 1,057 WA Troll 97	Troll; hook and line,	WA, OR & CA/ variable dates by area	headed & gutted; fillets; fresh & frozen	0	3
		Recreational Chinook salmon Coho salmon Pink salmon	14,604 228,429 30,955 7,627	239,664 Angler Trips					
Pacific Coast Groundfish 1	X	Pacific whiting Flatfish Rockfish Other groundfish	121,465 18,694 4,909 9,501	Limited Entry: 317 vessels registered to a LE permit Open Access: (765 vessels landed groundfish)	trawl; hook & line; pots; set nets	CA/year round OR/year round WA/year round	headed & gutted; fillets; surimi; fresh & frozen	3	3
		Recreational Groundfish	1,862	655,802 Boat Based Trips targeting groundfish					
Coastal Pelagic Species 3	C	Pacific sardine Pacific mackerel Jack mackerel Market squid Northern Anchovy	67,084 5,132 121 92,337 3,519	Federal Limited Entry south of Point Arena 65 State Limited Entry north of Point Area- 42	purse seine	CA - year round OR and WA - summer	human consumption bait meal and oil	1	
Highly Migratory Species 4	X	Northern albacore Other tunas Swordfish Sharks	12,264 477 407 142	1,988	Surface hook-and line Coastal purse seine Harpoon Drift gillnet High Seas longline	CA/year round OR/year round WA/year round	Fresh and frozen Human consumption		4

PFMC Membership

Commercial 2010	Recreational 2010	Other* 2010
3	4	2

<sup>1</sup> Salmon catch expressed as numbers of fish.

<sup>2</sup> = Not Applicable; permits not required for some species.

\* "Other" includes tribal representative

\*\* Council Representatives may represent more than One FMP.

1) Pacific Coast groundfish fishery data was extracted directly from the PacFin data system (commercial), RecFIN, and Final EIS for 2007-08 Pacific Groundfish Fishery (Recreational).

2) "Review of 2008 Ocean Salmon Fisheries;" (February 2009; Pacific Fishery Management Council).

3) SWR estimates from PacFIN.

4) SWR estimates from PacFIN.

## A-vii NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)

FISHERY MANAGEMENT PLANS	Type	Species/Species Group	Tonnage (metric tons) *	Fishermen & Crew**	Gear	Fishing Areas and Seasons	Processing	Participants/Representatives in 2010***	
								Comm.	Rec.
Groundfish of the Gulf of Alaska (GOA)	C	Pollock Pacific cod Flatfish Rockfish Sablefish Atka mackerel Misc. species	46,058 44,732 26,296 23,075 8,987 2,332 4,820	1334 Federal Fishing permits  1618 LLP permits (some Interim)	trawl; pot; hook & line; jig	area/time closures adjusted in season  LLP permits have gear and area endorsements	hand & machine fillet; headed/gutted; frozen; minced; meal & oil	4	
Groundfish of the Bering Sea and Aleutian Islands (BSAI)	C	Pollock Pacific cod Flatfish Rockfish Sablefish Atka mackerel Misc. species	778,398 124,538 209,978 14,946 1,399 38,311 17,238	578 Federal fishing permits 509 LLP permits (some Interim)	trawl; pot; hook & line; jig	area/time closures adjusted in season  LLP permits have gear and area endorsements	hand & machine fillet; headed/gutted; frozen; minced; meal & oil	4	
Commercial King and Tanner Crab Fisheries in the BSAI	C	King Crab Red king crab Golden king crab St. Matt.Blue King Crab Tanner Crab C. opilio (snow) C. Bairdi	6,503 2,443 476  19,592 539	490 Quota Share holders for IFQ crab  347 LLP permits (some Interim)	Pot	Deferred to State; generally November and winter months;  LLP permits have fishery endorsements for minor crab species.	cooked; refrigerated; frozen	3	
Salmon fisheries in the EEZ off Alaska and adjacent state waters	C	Chinook salmon Coho salmon Pink salmon Sockeye salmon Chum salmon	1,183 4,199 161 5 1,596	964 permits fished	troll****	Deferred to State; generally West area is closed; southeast area time area limits.	fresh; gutted & gilled; glazed; frozen; canned; smoked		1
Scallop Fishery off Alaska	C	Weatherwane scallops (no directed fisheries occur for other scallop species listed in the FMP)	221	9 LLP permits	Dredges	Deferred to State; Time and area openings are adjusted inseason	hand shucked and frozen or iced		

Secretarial appointed NPFMC membership in 2010: Commercial 6; Recreational 1; Other 0

\$ In addition to these five FMPs, the NPFMC also is responsible for developing regulations governing Pacific halibut fisheries in and off of Alaska under authority of the Northern Pacific Halibut Act of 1982 (Halibut Act). These regulations, which are in addition to and not in conflict with regulations adopted by the International Pacific Halibut Commission, primarily allocate halibut fishing privileges among U.S. fishermen. Although the NPFMC develops halibut management regulations according to principles of the Magnuson-Stevens Act, no halibut FMP exists because the Magnuson-Stevens Act does not apply to management of the Pacific halibut fisheries. In 2010, the commercial fishing season for halibut in and off Alaska runs from March 6 through November 15. The total commercial catch of halibut under the Individual Fishing Quota (IFQ) and Community Development Quota (CDQ) Programs through September 7 was 15,311 mt, net weight, about 80 percent of the available quota. At that date, about 3,903 mt of Pacific halibut remained. For Pacific halibut, 2,791 persons held IFQ Quota Share as of September 8, 2010.

\* 2010 salmon catch data are from the State of Alaska. These data represent only the southeast AK hand and power troll fisheries that are governed by the Salmon FMP and managed as one fishery, inside and outside State waters by the State of Alaska. The catch data for the BSAI crab fisheries are from the BSAI Crab Rationalization Program Report for Fishing Year 2009/2010 (July 1, 2009 through June 30, 2010), prepared by the Alaska Region, NMFS. Alaska scallop fishery catch data for the 2009/2010 season (July 1, 2009 to January 18, 2010) are from the State of Alaska. All other catch data are from the Alaska Region, NMFS, and reflect catch reports through August 28, 2010. NMFS catch data include retained and discarded catch amounts. Miscellaneous groundfish species includes squid, skates, sharks, octopus, and sculpin.

\*\*Data represent persons or vessels permitted to harvest fish, not the number of individuals actually involved in the operation of vessels, catching and processing fish. Permit data are as of September 8, 2010. The number of permits actually used to harvest fish is fewer than that indicated by the data. Participation in all FMP fisheries is governed by some form of limited access system. License Limitation Programs (LLP), initially effective in 2000, apply to all fisheries except crab fisheries brought under a new IFQ system in 2005, salmon (which is governed by the State of Alaska limited entry system), demersal shelf rockfish in the Southeast Gulf of Alaska, IFQ sablefish, and IFQ and CDQ halibut fisheries. In 2005, a new IFQ program replaced the LLP license requirement for most BSAI king and Tanner crab fisheries. A total of 490 distinct persons were initially issued one or more types of harvesting quota share for eight crab fisheries (managed as nine fisheries starting July 1, 2007); in the 2009/2010 crab year most IFQ crab was assigned to cooperatives; 136 distinct Hired Masters fished IFQ for 10 active permit holders (counting cooperatives, not members). Some LLP crab licenses were re-issued to authorize fishing not managed under the IFQ system. Of the approximate total 2,173 current LLP permits, most (1,817) authorized fishing for groundfish in the BSAI or GOA or both, and 347 still authorized fishing for BSAI crab species not under crab rationalization management; the remaining 9 were for scallop harvest. A number of permits were "interim" and will be revoked following final adjudication of claims.

Also, a total of 836 persons held QS to harvest sablefish as of September 8, 2010, with fixed gear in the GOA and BSAI under the IFQ Program. The salmon permit data are from the State of Alaska and represent the number of individual permits fished in 2010.

**\*\*\*\*Troll gear is the gear authorized to be used in the EEZ under the salmon FMP, however, other gear types such as gill nets and purse seines are authorized in other areas of the State to harvest salmon.**

## A-viii WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (WPFMC)

FISHERY ECOSYSTEM PLAN	Type	Species/Species Group	Landings (metric tons) 2009 <sup>1</sup>	Vessels (permits) <sup>2</sup>	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2010	
								Comm.	Rec.
Hawaii Archipelago (including Midway Atoll)	C/R	Bottomfish and Seamount Groundfish	201 (C) 118 (R) <sup>3</sup>	Est. 800 (C) Est. 2,800 (R)	handline, rod and reel	FEP Area/year round, except: a. Main Hawaiian Islands (MHI) upon reaching annual TAC b. NWHI (closed) c. Hancock Seamounts (closed until pelagic armorhead is rebuilt)	fresh fish market		
		Spiny and slipper lobster, Kkona crab, deep-water shrimp	5	3	traps hand	FEP Area/year round, except: a. Northwestern Hawaiian Islands subject to zero annual harvest pursuant to Proclamation No. 8031 b. MHI: (closed 5/1 - 8/31)	flash frozen and live market	0	0
		Precious corals (all species combined)	Confidential	2	manned submersible, remote operated vessel, hand	FEP Area/year round, except: a. Makapuu and Auaa Beds which have 2 year fishing periods that begin 7/1 and ends 6/30 2 years later b. NWHI (closed)	shaped/polished		
		Currently harvested coral reef taxa, Potentially harvested coral reef taxa	304 (C) 237 (R) <sup>3</sup>	0	hook and line, hand, net, trap, slurpgun, spear	FEP Area/year round	fresh fish and aquarium markets		
Mariana Archipelago (CNMI & Guam)	C/R	Bottomfish	17 (CNMI) 7 (Guam)	3 (CNMI) 1 (Guam)	handline, rod and reel	FEP Area/year round	fresh fish market		
		Spiny and slipper lobster, and deep-water shrimp	>1 (CNMI) >1 (Guam)	3 (CNMI) 3 (Guam)	traps hand	FEP Area/year round	flash frozen and live market		
		Precious corals (all species combined)	0	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	1	0
		Currently harvested coral reef taxa, Potentially harvested coral reef taxa	30 (CNMI) 61 (Guam)	0	hook and line, hand, net, trap, slurpgun, spear	FEP Area/year round	fresh fish and aquarium markets		
American Samoa	C/R	Bottomfish	31	No permits required	handline, rod and reel	FEP Area/year round	fresh fish market		
		Spiny and slipper lobster, and deep-water shrimp	1	3	traps hand	FEP Area/year round	flash frozen and live market		
		Precious corals (all species combined)	0	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	0	2
		Currently harvested coral reef taxa, Potentially harvested coral reef taxa	10	0	hook and line, hand, net, trap, slurpgun, spear	FEP Area/year round	fresh fish and aquarium markets		
Pacific Remote Island Areas (Howland, Baker and Jarvis Islands, Kingman Reef, and Wake and Palmyra Atolls)	C/R	Bottomfish	n/a <sup>4</sup>	1	handline, rod and reel	FEP Area/year round	fresh fish market		
		Spiny and slipper lobster, and deep-water shrimp	n/a <sup>4</sup>	3	traps hand	FEP Area/year round	flash frozen and live market		
		Precious corals (all species combined)	n/a <sup>4</sup>	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	0	0
		Currently harvested coral reef taxa, Potentially harvested coral reef taxa	n/a <sup>4</sup>	0	hook and line, hand, net, trap, slurpgun, spear	FEP Area/year round	fresh fish and aquarium markets		
Pelagic	C/R	Commercial	11,304	198	troll	FEP Area/year round, except for area closures around the Hawaii, Mariana and American Samoa Archipelagos	fresh fish market		
		- Tunas - Swordfish - Other (inc. sharks) - Blue marlin - Mahimahi - Other billfish - Wahoo - Squid	1,760 1,669 468 619 336 427 0		handline longline spear		whole frozen for cannery	1	1
		Estimated Recreational (all species)	9,840 (R) <sup>3</sup>	n/a					

WPFMC MEMBERSHIP

Commercial 2010	Recreational 2010	Other 2010
2	3	3

- <sup>1</sup> Landing information was obtained from NMFS Pacific Islands Fisheries Science Center, Western Pacific Fisheries Information Network databases at <http://www.pifsc.noaa.gov/wpacfin> and is primarily comprised of domestic commercial landings, but includes non-commercial (recreational and subsistence) landing.
- <sup>2</sup> Vessel information was obtained from NMFS Pacific Islands Region Sustainable Fisheries Permits Program, except for Hawaii bottomfish and seamount groundfish which is based on State of Hawaii commercial marine license and bottomfish vessel registration programs.
- <sup>3</sup> Where noted, recreational (R) fisheries landing information was obtained from NMFS Office of Science and Technology at <http://www.st.nmfs.noaa.gov/st1/recreational/queries/index.html>
- <sup>4</sup> No catches have been reported for this resource in the Pacific Remote Island Areas.

SECRETARIAL MANAGEMENT ACTIONS  
A-i-x HIGHLY MIGRATORY SPECIES

FISHERY MANAGEMENT PLAN	TYPE	SPECIES/ SPECIES GROUP	LANDINGS 2008/2009 MT = METRIC TONS WW = WHOLE WEIGHT DW = DRESSED WEIGHT	2010 VESSELS (PERMITS)	GEAR <sup>7</sup>	FISHING AREAS/SEASONS <sup>8</sup>	2010 REPRESENTATIVES <sup>9</sup>			
							COMMERCIAL	RECREATIONAL	ACADEMIA/ ENVIRON	FMCs
Atlantic Billfishes <sup>1</sup>	R	White Marlin; Blue Marlin; Sailfin; Longfin Spearfish (prohibited)	55.2 mt ww <sup>2</sup> (comm dead discards) 10.6 mt ww <sup>2</sup> (rec)	Charter permits <sup>5</sup> Recreational permit <sup>6</sup>	Rod & reel	Atlantic coast, Gulf of Mexico, Caribbean Sea; Calendar year	12	12	8	5
Atlantic Sharks <sup>1</sup>	X	Commercial/Recreational -Large coastal (11 spp) -Pelagics (5 spp) -Small coastal (4 spp) -Prohibited (19 spp)	Comm <sup>3</sup> 1,007 mt dw 618 LCS 106 Pel 283 SCS  Rec <sup>3,4</sup> 155.7 45 LCS 2.8 Pel 107.9 SCS	LIMITED ACCESS <sup>7</sup> Commercial permits - 215 directed - 265 incidental	Longline; Gillnets; Rod & reel; Handline; Bandit	Atlantic coast, Gulf of Mexico, Caribbean Sea; Non-sandbar LCS regions: Atlantic and Gulf of Mexico; Calendar year	12	12	8	5
				Charter permits <sup>5</sup> Recreational permit <sup>6</sup>	Rod & reel; Handline	Atlantic coast, Gulf of Mexico, Caribbean Sea; Calendar year				
Atlantic Swordfish <sup>1</sup>	X	Commercial	2,806.4 mt ww <sup>2</sup> (includes discards)	LIMITED ACCESS Commercial permits - 177 directed - 147 incidental/handgear	Longline; Buoy; Handline; Harpoon; Rod & reel; Bandit Ottertrawl (incidental)	North and South Atlantic, Caribbean Sea, and Gulf of Mexico; Calendar year: North Atlantic directed semi- annual seasons: 1/1-6/30; 7/1- 12/31	12	12	8	5
		Recreational	31.6 mt ww <sup>2</sup>	Charter permits <sup>5</sup> Recreational permit <sup>6</sup>	Rod & reel; Handline	Calendar year (East Coast of US)				
Atlantic Tunas <sup>1</sup>	X	Commercial Bluefin Yellowfin Bigeye Albacore Skipjack	3,498.2 mt ww <sup>2</sup> 1085.3 1,791.5 438.9 165.1 17.4	Commercial permits - 248 Longline - 3,849 General - 29 Harpoon - 6 Trap - 3 Purse Seine (VTQ) Charter permits <sup>5</sup>	Rod & reel; Purse seine; Bandit gear; Longline; Handline; Harpoon; Trap; Greenstick	Northwest Atlantic, Gulf of Mexico (No Directed Fishing for Bluefin Tuna), and Caribbean Sea; Calendar year	12	12	8	5
		Recreational Bluefin Yellowfin Bigeye Albacore Skipjack	1,356.5 mt ww <sup>2</sup> 143.3 1,010.8 77.6 22.8 102	Recreational permit <sup>6</sup>	Rod & reel; Handline; Speargun (non- BFT)					

1. 2006 Final Consolidated Atlantic Highly Migratory Species Fishery Management Plan.

2. Source: 2010 U.S. National Report submitted to ICCAT. Includes rod and reel recreational landings from the Caribbean

3. Source: 2009 Stock Assessment and Fishery Evaluation Report for Atlantic Highly Migratory Species.

4. Number of fish in thousands (not mt).

5. 4,174 Charter/headboat permits issued as of October, 2010. Required for all tuna, swordfish, shark, and billfish recreational fishing.

6. 24,479 recreational angling permits issued as of October, 2010. Required for all tuna, swordfish, shark, and billfish recreational fishing.

7. Certain gear types may have restrictions, including time/area closures and gear modifications.

8. Seasons may close when quota is reached.

9. HMS Advisory Panel includes representatives of commercial and recreational fishing groups, academic, and environmental organizations, and one each from the U.S. ICCAT Advisory Committee, Atlantic and Gulf states, and the New England, Mid-Atlantic, and Caribbean Fishery Management Councils. The numbers for tunas, swordfish, billfish, and sharks are not additive.

2010 REPORT TO CONGRESS

ON THE DISCLOSURE OF FINANCIAL INTEREST AND

RECUSAL REQUIREMENTS FOR

REGIONAL FISHERY MANAGEMENT COUNCILS

AND

SCIENTIFIC AND STATISTICAL COMMITTEES

PURSUANT TO SECTION 302(j)(9) of the  
MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY  
U.S. DEPARTMENT OF COMMERCE  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE

2011





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## **A. Summary**

Section 302(j)(9) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce (Secretary) to submit an annual report to Congress beginning January 1, 2008, on action taken by the Secretary and the Regional Fishery Management Councils (Councils) to implement the disclosure of financial interest and recusal requirements of the Magnuson-Stevens Act, including identifying of any conflict of interest problems with respect to the Councils and Scientific and Statistical Committees (SSC) and recommendations for addressing any such problems. This is the fourth in the series of such reports, which assesses the efforts and action taken by the Secretary and the Councils in 2010 to meet the requirements of the Magnuson-Stevens Act.

This report also discusses the disclosure of financial interests by a voting member of a Council in accordance with Section 302(b)(2) of the Magnuson-Stevens Act, including individuals nominated for appointment by the Governor of a State, a voting member of a Council appointed by the Secretary in accordance with Section 302(b)(2) or 302(b)(5), and members of an SSC appointed under Section 302(g)(1)(A) as it pertains to reporting, filing, and recusal requirements. Furthermore, this report discusses the actions being taken by the Secretary and the Councils to identify and address conflict of interest issues among the Councils and SSCs.

## **B. Background**

The Magnuson-Stevens Act established eight regional fishery management Councils: New England (NEFMC), Mid-Atlantic (MAFMC), South Atlantic (SAFMC), Gulf of Mexico (GMFMC), Caribbean (CFMC), Pacific (PFMC), North Pacific (NPFMC) and Western Pacific (WPFMC). Councils prepare and submit fishery management plans (FMPs) to the Secretary for fisheries under Council authority that require conservation and management, and any amendments necessary to manage the fisheries consistent with the Magnuson-Stevens Act.

The Magnuson-Stevens Act also specifies that the voting members of each Council are: the principal state official with fishery management responsibility and expertise in each constituent state, who is designated by a governor; NOAA's National Marine Fisheries Service (NMFS) Regional Administrator for the geographic area concerned; public individuals appointed by the Secretary from among nominees submitted by governors of the constituent states; and an individual appointed to the PFMC, from among nominees submitted from a list of tribal governments.

Each Council is required to establish and appoint members to an SSC to provide the Councils ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, and achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices. Members of the SSCs are federal and state employees, academics, or independent experts with scientific or technical credentials and experience who assist the Councils in the evaluation of biological and other scientific information on issues that come before the Council.

An individual nominated by the governor of a state for appointment as a voting member of a Council, appointed by the Secretary as a voting Council member, or appointed by a Council to an SSC must meet certain financial disclosure requirements.

## **C. Disclosure of Financial Interest and Recusal Requirements**

### Disclosing Financial Interests: Reporting and Filing Requirements

Section 302(j)(2) of the Magnuson-Stevens Act requires “affected individuals” (defined in Section 302(j)(1) of the Magnuson-Stevens Act) to disclose any financial interest held by the individual, the spouse, minor child, or partner of that individual; and any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee in any harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be, undertaken within any fishery over which a Council has jurisdiction, or with respect to an individual or organization with a financial interest in such activity. Disclosure of financial interests will also include stocks, ownership interest, or employment with any entity that engages in or that provides services to someone engaged in any harvesting, processing, lobbying, advocacy, or marketing activity.

Affected individuals must disclose any financial interests on NOAA Form 88-195, Statement of Financial Interests (see Appendix 1). Guidance on reporting and filing procedures for complying with financial disclosure requirements are found at 50 CFR 600.235.

An individual who is nominated by the governor of a state for appointment as a voting member of a Council and before appointment by the Secretary must file a Statement of Financial Interests with the Assistant Administrator for Fisheries by April 15, or, if nominated after March 15, one month after nomination by the governor.

An individual who is a voting member of a Council, appointed by the Secretary in accordance with Section 302(b)(2) or (b)(5) who is not subject to disclosure and recusal requirements under the laws of an Indian tribal government, must file a Statement of Financial Interests within 45 days of taking office with the executive director of the Council, and must file an update with the executive director of the Council within 30 days of the time any such financial interest is acquired or substantially changed and by February 1 of each year.

The executive director of the Council will provide copies of all Statements of Financial Interests to the NMFS Regional Administrator, the Regional Attorney who advises the Council, and NMFS’ Office of Sustainable Fisheries. Statements of Financial Interests will be kept on file by each Council, made available on the Council internet site, be available for public inspection at the Council offices during reasonable hours, and be kept on file by NMFS on behalf of the Secretary for use in reviewing determinations under Section 302(j)(7).

An individual who is appointed to an SSC in accordance with Section 302(g)(1) of the Magnuson-Stevens Act must file a Statement of Financial Interests with the Regional Administrator, on behalf of the Secretary, which will be kept on file by NMFS.

#### Voting Requirements and Financial Conflicts of Interest

An affected individual required to disclose a financial interest under 302(j)(2) of the Magnuson-Stevens Act shall not vote on a Council decision that would have a “significant and predictable effect” on a financial interest disclosed on his or her Statement of Financial Interests. In accordance with Section 302(j)(7) of the Magnuson-Stevens Act, a Council decision shall be considered to have a significant and predictable effect on a financial interest if there is a close causal link between the decision and an “expected and substantially disproportionate benefit” to the member’s financial interest. An “expected and substantially disproportionate benefit” means a quantifiable positive or negative impact with regard to a matter likely to affect a fishery or sector of the fishery in which the affected individual has a significant interest, as indicated by:

- (a) a greater than 10 percent interest in the total harvest or the sector of the fishery under consideration by the Council;
- (b) a greater than 10 percent interest in the marketing or processing of the total harvest or the sector of the fishery under consideration by the Council; or
- (c) full or partial ownership of more than 10 percent of the vessels using the same gear type within the fishery, or the sector of the fishery, under consideration by the Council.

Although an affected individual may not vote, he or she may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the financial interest that would be affected.

At the request of an affected individual, or at the initiative of an appropriate designated official,<sup>1</sup> the designated official shall make a determination for the record as to whether a Council decision would have a “significant and predictable effect” on a financial interest. Within 10 days, any Council member may submit a written request to the Secretary to review any determination made. The review of the determination must be completed within 30 days. Any affected individual who does not vote on a Council decision in accordance with Section 302(j)(7) may state for the record how he or she would have voted.

It is expected that SSC members maintain a high standard of conduct. Questions regarding conflict of interest requirements for SSC members should be addressed to the NOAA Regional Attorney who advises the Councils.

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<sup>1</sup> Designated official is a person with expertise in federal conflict-of-interest requirements who is designated by the Secretary, in consultation with the Council, to attend Council meetings and make determinations under paragraph 302(7)(B) of the Act. In practice, this has been the NOAA Regional Attorney who advises the Council.

#### **D. Magnuson-Stevens Act Amendments**

In 2010, NMFS published a final rule in the Federal Register implementing regulatory changes to amendments to the reauthorized Magnuson-Stevens Act as it pertains to the Disclosure of Financial Interest and Recusal Requirements for Councils and SSCs. The final rule:

- (a) Clarifies the requirement that the Councils' SSC members be treated as "affected individuals" and must disclose their financial interests,
- (b) Revises the definition of Financial interest in "harvesting, processing, lobbying, advocacy, or marketing" to clarify in what entities a Council member must declare a financial interest,
- (c) Sets forth financial interest requirements and reporting by Council and SSC members, and
- (d) Specifies the requirements Council members, employees, and contractors must comply with regarding Rules of Conduct and Lobbying.

#### **E. Action Taken by the Secretary and the Councils on the Disclosure of Financial Interest and Recusal Requirements**

To gather information needed to meet the requirements of Section 302(j)(9) to provide this report, the Assistant Administrator for Fisheries requested that each NMFS Regional Administrator and Council provide the following information on efforts in 2010 to meet the requirements of the reauthorized Magnuson-Stevens Act:

- (a) Action taken by each Council on implementing the requirements of the Magnuson-Stevens Act, including amendments to Section 302(g), Committees and Advisory Panels, and Section 302(j), Disclosure of Financial Interest and Recusal. Following is a summary of each Council's actions.

The NEFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council requested annual Statements of Financial Interests from their SSC members. In January 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the NEFMC's internet site.

The MAFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council requested annual Statements of Financial Interests from their SSC members. In February 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. The MAFMC posted Statements of Financial Interests for voting council members appointed by the Secretary on its internet site.

The CFMC has modified its Statement of Organization Practices and Procedures (SOPP) to incorporate reauthorized Magnuson-Stevens Act language, and discussed the new requirements with both SSC and Council members. The Council requested annual Statements of Financial Interests from their SSC members. In March 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the CFMC's internet site and are available at each Council meeting.

The SAFMC requested annual Statements of Financial Interests from their SSC members. In February 2010, the SAFMC provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the SAFMC's internet site.

The GMFMC has obtained Statements of Financial Interests from their SSC members and Council members appointed by the Secretary. In 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the GMFMC's internet site.

The PPMC requested annual Statements of Financial Interests from their SSC members. In February 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Statements of Financial Interests for voting council members appointed by the Secretary continue to be posted on the PPMC's internet site.

The NPFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council requested annual Statements of Financial Interests from their SSC members. In February 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. Although not a requirement, the NPFMC has also posted SSC Statements of Financial Interests on its internet site. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the NPFMC's internet site and are available at each Council meeting.

The WPFMC worked with NOAA General Counsel to include language in the Council SOPP to ensure the reauthorized Magnuson-Stevens Act requirements and recommendations from the General Accounting Office review were addressed relating to their role and responsibilities. The Council requested annual Statements of Financial Interests from their SSC members. In February 2010, the Council provided completed Statements of Financial Interests for SSC members to the Assistant Administrator for Fisheries to be kept on file by NMFS. The WPFMC posted Statements of Financial Interests for voting council members appointed by the Secretary on its internet site.

(b) Documentation of any time a voting Council member recuses himself or herself from a vote, the reason given, and any other relevant circumstances, per 50 CFR 600.235(d).

The NEFMC, MAFMC, CFMC, SAFMC, GMFMC, and NPFMC indicate no recusals.

PFMC Meetings – At the Council’s April 2010 meeting, Council member Dale Myer recused himself from discussion and voting on Motions 12 and 13 (regulatory deeming of Groundfish Amendment 20 regarding the permit process for motherships and catcher vessels in the Pacific Whiting fishery), because he is employed by an at-sea whiting company. At the Council’s June 2010 meeting, Council member Myer recused himself from discussion and voting on Motion 32 (regulatory deeming of Groundfish Amendment 20 regarding mothership ownership rules in the Pacific Whiting fishery) because he is employed by an at-sea whiting company.

WPFMC Council Meetings – At the Council’s March 2010 meeting, there was one recusal. During the vote on a recommendation by the Council to request that NMFS provide additional funding for the Western and Central Pacific Fisheries Commission (WCPFC) bigeye tuna reproductive biology project, Council member David Itano recused himself because he is involved in the project through the Pacific Fishery Research Program.

At the WPFMC’s June 2010 meeting, there were two recusals during two separate votes from one Council member. Two recommendations were made on an amendment to the Pelagics Federal Ecosystem Plan that would develop Federal domestic chartering permits or similar mechanisms to provide NMFS oversight of a domestic chartering agreement. This amendment would also limit territories to 750 mt/yr; the amount of tuna it could assign under a domestic chartering agreement. Council member Sean Martin disclosed his position as President of the Hawaii Longline Association, and his interests in a number of Hawaii longline vessels that would be eligible to operate under the charter agreement pursuant to these recommendations. Council member Martin also recused himself from a recommendation for the United States to draft a conservation and management measure for consideration by the WCPFC to require member countries’ vessels to mark their fishing gear. Council member Martin again disclosed his position as President of the Hawaii Longline Association.

(c) Documentation of any Council member requests for determination for the need for a recusal by that Council member, and the results of that determination, per 50 CFR 600.235(f)(1).

The Councils indicate no occurrences.

(d) Documentation of any requests for determination on recusals of a Council member based on information provided to a designated official and the results of that determination, per 50 CFR 600.235(f)(3).

The Councils indicate no occurrences.

(e) Documentation of any requests for review of a determination and the results of that review per 50 CFR 600.235(g).

The Councils indicate no occurrences.

(f) Any circumstances where a Council member's NOAA Form 88-195, Statement of Financial Interests, was found to be in error, the circumstances relevant to the error, and its resolution.

The Councils indicate no occurrences.

(g) Any instances of Council member resignations or removal due to concerns about disclosure of financial interests or recusal and circumstances relevant to each occurrence.

The Councils indicate no occurrences.

(h) Any similar instances to the above regarding SSC members.

The Councils indicate no occurrences.

#### Action taken by the Secretary and the Councils

(a) On behalf of the Secretary, NMFS published a final rule in the Federal Register after considering all comments received on both proposed rules issued in 2009. The regulatory changes clarify financial disclosure requirements for the Councils' SSC members, Council nominees, and Council members appointed by the Secretary.

(b) NMFS revised NOAA Form 88-195, Statement of Financial Interests, required to be completed by council nominees, council members appointed by the Secretary, and members of the SSC.

(c) The Secretary continues to make NOAA Form 88-195, Statement of Financial Interests, available to the Councils for use by the SSC members and voting members of the Councils appointed by the Secretary in an electronically fillable format. Although the form is available in an electronically fillable format, members of SSCs and voting members of the Councils appointed by the Secretary are still required to sign and date the form.

(d) The Councils continue to make Statements of Financial Interests for voting council members appointed by the Secretary available for public viewing at Council offices and at Council meetings at reasonable hours, and available on Council internet sites.

(e) The Secretary continues to ensure Statements of Financial Interests are completed by SSC members and kept on file, ensure that all Statements of Financial Interests completed by voting council members appointed by the Secretary are posted on Council internet sites, and ensure that copies are forwarded to appropriate NMFS offices and the Office of General Counsel, Department of Commerce.



STATEMENT OF FINANCIAL INTERESTS

For Use By Voting Members of, and Nominees to, the Regional Fishery Management Councils,  
and Members of the Scientific and Statistical Committee (SSC)

**Authority to Require this Information**

Section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the financial disclosure regulations at 50 C.F.R. 600.235 require that “affected individuals” must meet certain financial disclosure requirements. In Section 302(j)(1) of the Magnuson-Stevens Act, the term “affected individual” means an individual who is nominated by the governor of a state for appointment as a voting member of a Council in accordance with Section 302(b)(2); or who is a voting member of a Council appointed in accordance with Section 302(b)(2); or Section 302(b)(5) who is not subject to disclosure and recusal requirements under the laws of an Indian tribal government. The reauthorization of the Magnuson-Stevens Act, at Section 302(g)(1)(D) also requires that each member of an SSC be treated as an “affected individual,” but only for the purposes of paragraphs (2), (3)(B), (4), and (5)(A) of Section (302)(j).

Financial interest in harvesting, processing, lobbying, advocacy or marketing (1) includes:

- (i) Stock, equity, or other ownership interests in, or employment with, any company, business, fishing vessel, or other entity or employment with any entity that has any percentage ownership in or by another entity engaging in any harvesting, processing, lobbying, advocacy, or marketing activity in any fishery under the jurisdiction of the Council concerned;
- (ii) Stock, equity, or other ownership interests in, or employment with, any company or other entity or employment with any entity that has any percentage ownership in or by another entity that provides equipment or other services essential to harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned, such as a Chandler or a dock operation.
- (iii) Employment with, or service as an officer, director, or trustee of, an association whose members include companies, vessels, or other entities engaged in any harvesting, processing, lobbying, advocacy, or marketing activities, or companies or other entities providing services essential to harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned; and
- (iv) Employment with an entity that has any percentage ownership in or by another entity providing consulting, legal, or representational services to any entity engaging in, or providing equipment or services essential to, harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned, or to any association whose members include entities engaged in the activities described in paragraphs (1) (i) and (ii) of this definition.

**Reporting and Filing Requirements**

The Magnuson-Stevens Act requires the disclosure of any financial interest in harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be undertaken within any fishery over which the Council concerned has jurisdiction. An affected individual must disclose such financial interest held by that individual; the affected individual's spouse, minor child, partner; or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee. The information required to be reported must be disclosed on NOAA Form 88-195, or such other form as the Secretary may prescribe. The Financial Interest Form must be filed by each nominee for Secretarial appointment with the Assistant Administrator by April 15 or, if nominated after March 15, 1 month after nomination by the Governor. A seated voting member appointed by the Secretary must file a Financial Interest Form with the Executive Director of the appropriate Council within 45 days of taking office; must file an update of his or her statement with the Executive Director of the appropriate Council within 30 days of the time any such financial interest is acquired or substantially changed by the affected individual or the affected individual's spouse, minor child, or partner, or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee; and must update his or her form annually and file that update with the Executive Director of the appropriate Council by February 1 of each year regardless of whether any information has changed on that form. The Executive Director must in a timely manner, provide copies of and updates to the Financial Interest Forms of appointed Council members to the NMFS Regional Administrator, the Regional Attorney who advises the Council, and the NMFS' Office of Sustainable Fisheries. These completed financial interest forms shall be kept on file in the Office of the NMFS Regional Administrator and at the Council offices, and shall be made available for public inspection at such offices during normal office hours. In addition, the forms shall be made available at each Council meeting or hearing and shall be posted for download from the Internet on the Council's website. Councils must retain the Financial Interest Form for a Council member for at least 5 years after the expiration of that individual's last term.

An individual being considered for appointment to an SSC must file the Financial Interest Form with the Regional Administrator for the geographic area concerned within 45 days prior to appointment. A member of the SSC must file an update of his or her statement with the Regional Administrator for the geographic area concerned within 30 days of the time any such financial interest is acquired or substantially changed by the SSC member or the SSC member's spouse, minor child, partner, or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee; and must update his or her form annually and file that update with the Regional Administrator by February 1 of each year. The Regional Administrator shall maintain on file the Financial Interest Forms of all SSC members for at least 5 years after the expiration of that individual's term on the SSC. Such forms are not subject to section 302(j)(5)(B) and C of the Magnuson-Stevens Act.

**Items to Report on NOAA Form 88-195, "Statement of Financial Interests:**

Specific information must be disclosed for each relevant financial interest or relationship that may call into question whether there may be conflict of interest between (1) your financial interests and relationships and (2) your Council related actions and activities. The information to be listed does not require a showing of the amount of financial interest, but does require complete disclosure of any and all types of financial interest relationships in any fishery under the jurisdiction of the Council concerned.

In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in the section titled "Information Requested of Other Persons" on NOAA Form 88-195.

If you have no financial interest to disclose, please complete and check the appropriate boxes on the last page of the NOAA Form 88-195 "Statement of Financial Interests" and return.

**Name of Individual:** Include yourself, your spouse, a minor child or partner. *(If not yourself, your relationship to individual.)*

**Entity Name/Full Address:** Include name and full address of a company, business, fishing vessel, other entity or relationship. *(Entities may include: affiliations, associations, cooperatives, corporations, organizations, universities, etc.).*

**Description/Relationship of Financial Interest:** Include a description of the financial interest and the relationship (*marketing, processing, guide, charter, consultant, contractor*); degree of ownership (percentage) or share holdings or any other monetary or in-kind enumeration of a company, business, fishing vessel, other entity or relationship; directorship of, or employee of, a company, business, organization, other entity or relationship; contracted relationship; contributions to advocacy organizations; and the initial date the financial interest or relationship began.

**Fisheries of Interest/Gear Type:** Identify the fishery associated with this particular financial interest or relationship, the gear type utilized, and the product type produced (*fresh, frozen, filleted, canned*).

**Examples:**

*(1) If you own a one-third interest in a fishing vessel, your response should include:*

Name: John Doe	Council: New England Council	Committee:
<b>Name of Individual</b> John and Mary Doe (Joint ownership) (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity: Miss Amy Inc. Full Address City, State 00000	Commercial fishing vessel, harvester one-third interest by myself and my spouse Date Began: 3/2000	Atlantic Herring Trawl Product Produced: fresh

*(2) If your spouse is employed by a State government agency involved in the Council process and you have contracted with NMFS for stock assessment research, your response should include:*

Name: John Doe	Council: New England Council	Committee:
<b>Name of Individual</b> Mary Doe (Spouse) (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity: EFG Agency Full Address City, State, 00000	Agency involved in Council process Biologist Date Began: 2000	All Species
<b>Name of Individual</b> John Doe (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Other Entity or Relationship: NMFS Full Address City, State 00000	Produce stock assessment Contractor Date Begun:: 2004	Orange rockfish

Name:	Council:	Committee:
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<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:
<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:
<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:

Name:	Council:	Committee:
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<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:

<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:

<b>Name of Individual</b> (If not yourself, your relationship to individual.)		
<b>Entity Name/Full Address</b>	<b>Description/Relationship of Financial Interest</b>	<b>Fisheries of Interest/Gear Type</b>
Entity:		
	Date Began:	Product Produced:
Other Entity/Relationship:		
	Date Began:	Product Produced:

**Information Requested of Other Persons.** In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in the section below.

Name and Address	Date of Request	Nature of Subject Matter

☐ **CHECK BOX, IF YOU HAVE NO APPLICABLE INFORMATION TO DISCLOSE**

Position/Type of Filing:

- ☐ Council Nominee
- ☐ Council Member
- ☐ SSC Member

- ☐ Original filing
- ☐ Annual filing
- ☐ Supplementary filing

**Certification**

I certify that the statements I have made are true complete and correct to the best of my knowledge and belief. I understand that if during the period of my appointment, I undertake new employment, I must promptly file an amended statement, and I must also report any new financial interests acquired during this period. I also certify that I am currently familiar with the statutes, regulations, and policies governing my responsibilities and conduct as applied to the duties I am assigned.

Printed Name: \_\_\_\_\_

Council/Committee: \_\_\_\_\_

Signed: \_\_\_\_\_

Dated: \_\_\_\_\_

**Requests for Assistance or Additional Information**

Refer to the financial disclosure regulations at 50 C.F.R. 600.235 for additional information. If you have any questions regarding the Statement of Financial Interests or related issues, please contact the Office of the Assistant General Counsel for Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Room 5882, Washington, D.C. 20230, or telephone (202) 482-5384.

**Paperwork Reduction Act**

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The public reporting burden for this collection of information, on this NOAA Form 88-195, is estimated to average 35 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden to the National Marine Fisheries Service, Office of the Chief Information Officer (F/CIO), 1315 East-West Highway, SSMC #3, 3<sup>rd</sup> Floor, Silver Spring, Maryland 20910.

**Public Access to Information**

The Statement completed by voting members of the Regional Fishery Management Councils will be retained by the Council, made available on the Council Internet Site, and made available for public review at reasonable hours at the Council Office, and at each public hearing or public meeting.

## APPENDIX 2 – REGIONAL FISHERY MANAGEMENT COUNCILS

<p><u>New England Fishery Management Council</u> (Constituent States: CT, MA, ME, NH, RI) <a href="http://www.nefmc.org">http://www.nefmc.org</a> Paul J. Howard, Executive Director 50 Water Street, Mill 2 Newburyport, Massachusetts 01950 Ph: 978-465-0492/Fax: 978-465-3116</p>	<p><u>Mid-Atlantic Fishery Management Council</u> (Constituent States: DE,MD,NC,NJ,NY,PA,VA) <a href="http://www.mafmc.org">http://www.mafmc.org</a> Christopher M. Moore, Executive Director 800 North State Street, Suite 201 Dover, Delaware 19901 Ph: 302-674-2331 or 877-446-2362/Fax: 302-674-5399</p>
<p><u>South Atlantic Fishery Management Council</u> (Constituent States: FL, GA, NC, SC) <a href="http://www.safmc.net">http://www.safmc.net</a> Robert K. Mahood, Executive Director 4055 Faber Place Drive, Suite 201 N. Charleston South Carolina 29405 Ph: 843-571-4366 or 866-723-6210/Fax: 843-769-4520</p>	<p><u>Caribbean Fishery Management Council</u> (Constituent States: PR, VI) <a href="http://www.caribbeanfmc.com">http://www.caribbeanfmc.com</a> Miguel A. Rolón, Executive Director 268 Muñoz Rivera Ave., Suite 1108 San Juan, Puerto Rico 00918 Ph: 787-766-5926 /Fax: 787-766-6239</p>
<p><u>Gulf of Mexico Fishery Management Council</u> (Constituent States: AL, FL, LA, MS, TX) <a href="http://www.gulfcouncil.org">http://www.gulfcouncil.org</a> Stephen Bortone, Executive Director 2203 N. Lois Avenue, Suite 1100 Tampa, Florida 33607 Ph: 813-348-1630 or 888-833-1844/Fax: 813-348-1711</p>	<p><u>Pacific Fishery Management Council</u> (Constituent States: CA, ID, OR, WA) <a href="http://www.pcouncil.org">http://www.pcouncil.org</a> Donald O. McIsaac, Executive Director 7700 NE Ambassador Place, Suite 101 Portland, Oregon 97220 Ph: 503-820-2280 or 866-806-7204/Fax: 503-820-2299</p>
<p><u>North Pacific Fishery Management Council</u> (Constituent States: AK, WA, OR) <a href="http://www.alaskafisheries.noaa.gov/npfmc">http://www.alaskafisheries.noaa.gov/npfmc</a> Chris W. Oliver, Executive Director 605 West 4<sup>th</sup> Avenue, Suite 306 Anchorage, Alaska 99501 Ph: 907-271-2809/Fax: 907-271-2817</p>	<p><u>Western Pacific Fishery Management Council</u> (Constituent States: AS, GU, HI, CNMI) <a href="http://www.wpcouncil.org">http://www.wpcouncil.org</a> Kitty M. Simonds, Executive Director 1164 Bishop Street, Suite 1400 Honolulu, Hawaii 96813 Ph: 808-522-8220/Fax: 808-522-8226</p>